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THE LEAGUE'S BUSINESS

The Hull Prize.—Announcements of the Hull Prize of $500 to be awarded in 1926 have already been sent to the colleges and universities on our mailing list. The prize is now offered biennially and is open only to post-graduate students who during the academic year 1924–25 are resident in American universities having distinct graduate courses in municipal government. Essays must represent original research of sound quality. For full particulars address the Secretary of the National Municipal League.

The Prize is made available through the generosity of the Hon. Morton D. Hull of Chicago, who has always been keenly interested in the promotion of original thought and research in the problems of government.

*

The Cincinnati Charter Campaign.—Reports from Cincinnati continue to be favorable to the success of the city manager-proportional representation amendment to the city charter. Dr. Hatton has made two addresses to large audiences and Mr. Millard has been actively assisting on the ground since September 15. Mr. Millard is authority for the statement that Cincinnati is the only good sized city in the United States in which it is impossible for an independent to be nominated and elected to municipal office.

*

Outlines of Responsible Government.—This pamphlet, prepared for use of teachers and classes in high school courses in civics is receiving flattering recognition. It has been placed upon the approved list of textbooks for the New York City high schools. A sample copy will be sent gladly on request.

*

The Constitutionality of Zoning.—There has been a heavy demand for reprints for the article by Mr. Bassett in the September Review on the Constitutionality of Zoning in the Light of Recent Court Decisions. Quantity orders have been numerous. To date the largest orders have been placed by the National Conference on City Planning and by the Massachusetts Federation of City Planning Boards. Single copies are available at 10 cents each.

*

Model State Constitution Receives Recognition.—Our Model State Constitution, drafted by our committee on state government and discussed at three successive conventions of the League, has been printed, with the explanatory articles, in the appendix to Professor Mathew's textbook on state government recently published by Appleton. This document together with the explanatory articles is still available in pamphlet form. Special price for quantity orders.

*

European Recognition of Our Work.—The following tribute to American interest in improved municipal government, and to the National Municipal League in particular, is taken from a report to the International Congress of Cities meeting at Amsterdam:

> In the United States, the leagues of municipalities that exist in almost all of the states have been working with great effectiveness. Beyond that the famous National Municipal League, which has been operating for the past twenty-nine years, holds annual conventions in which are brought together the results of the activities of all the local and regional associations. In addition to this, the reports and ideas along sociological lines and in the field of public law, that are presented at these conventions by well qualified speakers, are given wide publicity by the League.

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WHY A NEW GOVERNMENT WAS PROPOSED FOR CINCINNATI

BY WALTER J. MILLARD

This article was written thirty days before the election on the charter amendment on November 4. It describes the atmosphere surrounding the election and prophesies victory for the reformers. City Manager and P. R. are the outstanding features. :: :: :: :: ::

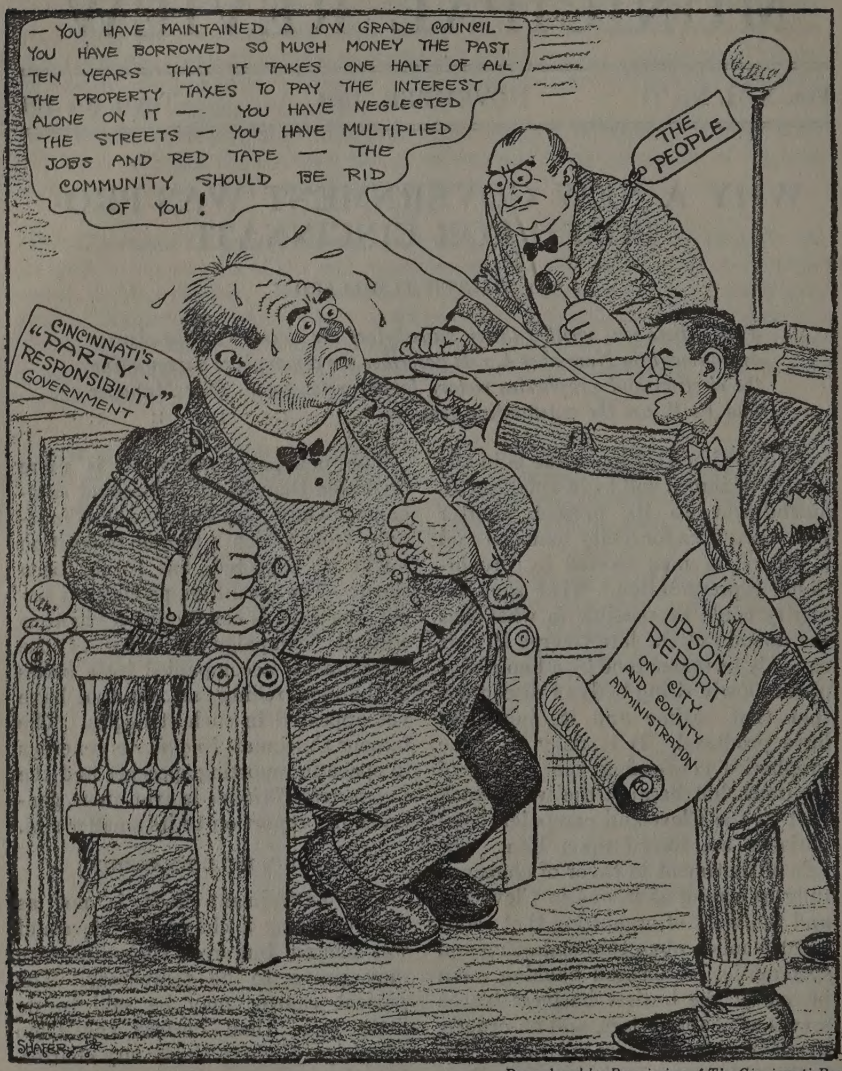
By the time this magazine is in the mail, Cincinnati will have voted on an amendment to its present charter which provides for a city manager and a council of nine elected by proportional representation. That such temerity could be possible in what was the domain of the late George B. Cox can only be understood by a knowledge of the slowly rising body of discontent that that régime and its inheritors have produced. It is risky to make prophecies concerning the results of elections, but because the writer took part in the Cleveland campaign comparisons are forced upon him. The tide of sentiment in favor of change is fully as strong as it was in Cleveland and the work of organizing that sentiment is much more thoroughgoing and systematic. A disused banking room in one of the busiest business blocks serves as headquarters, and an orderly bustle continues there all day. The bulk of the organization work is done by women, in fact every ward has a woman chairman and many have a woman captain in each precinct.

The newspaper situation is more favorable than in the Cleveland campaign. Only one paper, the *Times-Star*, from which editorial opposition might be expected, has so far been silent. The local Scripps-Howard paper, the *Post*, is conducting a vigorous editorial campaign in favor of the amendment, accompanied by a series of the most telling cartoons that have yet appeared in such struggles. The famous Cincinnati *Enquirer* is generous in space in reporting speeches and the *Commercial Tribune* is even more generous in proportion to its smaller size.

MACHINE RULE WEAKENING

The amendment itself is not as thoroughgoing a change as Cleveland was offered, but even that difference may prove to be temporary. The present charter may be said to do little more than declare the Ohio Municipal Code to be the city charter. It was to free the cities from this code that the home-rule provision was put in the constitution. It is unique in being the only charter of the twenty-six

MAY THE PENALTY FIT THE CRIME!


— YOU HAVE MAINTAINED A LOW GRADE COUNCIL — YOU HAVE BORROWED SO MUCH MONEY THE PAST TEN YEARS THAT IT TAKES ONE HALF OF ALL THE PROPERTY TAXES TO PAY THE INTEREST ALONE ON IT — YOU HAVE NEGLECTED THE STREETS — YOU HAVE MULTIPLIED JOBS AND RED TAPE — THE COMMUNITY SHOULD BE RID OF YOU!
THE PEOPLE
CINCINNATI'S "PARTY RESPONSIBILITY" GOVERNMENT
UPSON REPORT ON CITY AND COUNTY ADMINISTRATION
SCHERY

Reproduced by Permission of The Cincinnati Post

The movement to secure city manager government for Cincinnati following the publication of the survey report upon the existing city and county government, which disclosed the practical workings of "party responsibility" under the old charter.

chartered cities in Ohio which retains partizan primaries and ballots.

The machine rule of Cincinnati, now nearly the last of our large cities to endure it, has been weakening for years, although in outer appearance it would seem to be stronger than ever. It never really regained from the blow to its prestige which it received when Henry T. Hunt was elected mayor. His subsequent defeat was another case where Americans have voted against a man by voting for his opponent. Without doubt his loss of favor was caused in the main by offering a plan for public ownership of the street car system. The popular criticism was not against public ownership, but against the price he suggested paying for the system.

Another indicator was the public defeat of a street car franchise in 1916, which the council gave to the system which connects Cincinnati with the cities on the Kentucky side. Though both the Republican and Democratic machines were heavily subsidized, a puny People's Power League won the election by eleven thousand votes.

The Democratic party, offering practically no opportunity for effective leadership, has become almost a name and it is difficult sometimes to secure the necessary Democratic precinct judges. That is why the last council-manic election suggests on the surface that the people like the government they have had, for thirty-one Republicans were elected to council and only one Democrat. But that the public was stirring is shown by the votes the Republican candidate for mayor received. The incumbent received 68,000 votes while two opponents together received 61,000.

VOTERS DISTRUST CITY COUNCIL

A most significant development has been the repeated refusal of the voters to vote for increases of the tax levy. This is in face of what is the virtual emptiness of the city treasury. They have elected Republicans because there was no vigorous opposition and then showed how little they trusted them by refusing them badly needed finances. This loss of prestige was one of the reasons for the creation by the Republican Executive Committee of the Advisory Committee, which then instituted the survey so ably conducted by Dr. Upson. It is also an open secret that the fear arose that the Democratic opposition might be invigorated and if victorious would interfere with national ambitions held by one or two local industrial kings who would like to be enveloped in togas.

The city manager amendment is the result of the amalgamation of two groups. In the early spring of this year one or two citizens interpreted the last election as meaning that the people were ready for a change. They resolved to make haste slowly, and proposed that the only change be that of removing party emblems from the ballot and organized "The Birdless Ballot Association." The response was electric, but just as the movement was getting under way a legal decision was made which declared that the state law and the city charter combined make it possible for the nominees of partizan primaries only to be placed on the ballot and that nomination by petition is illegal. Since merely to have party-hack candidates without a label, was too small an advance, the "birdless ballot" proposal hardly seemed worth while to vote about except to gauge the reform sentiment.

Independently another group had been watching the Cleveland experiment, and a full-length charter was drafted. Both groups got together, however, and agreed to change only

one section of the charter, that dealing with organization of the government.

WHAT THE AMENDMENT PROVIDES

The draft in brief provides as follows: A council of nine members elected by proportional representation for two years, a mayor elected from the council whose salary may be increased over that of his fellows, a vice-mayor without added compensation. All appointments previously made by the mayor shall be made by the city manager. The auditor, now elective, also becomes an appointee when the one in office ends his term.

The paragraphs dealing with the duties of the manager follow the Cleveland draft, as does the one demanding noninterference in appointments by councilmen, and the right of the manager to a seat without vote in council. Reorganization of departments is permitted but the manager must approve such an ordinance in writing. If he does not approve, it must be repassed by four-fifths vote of all members. Political assessments and service are prohibited on pain of dismissal and ineligibility for one year.

In order to secure a thorough-going charter revision, the council is given power to appoint an amendment commission, which is to pass its work to the council and thence to the people.

The rest of the proposal concerns the proportional election. The preliminary count of first choices in the precincts which Cleveland prescribes is eliminated. Cincinnati will seal its ballot boxes immediately the polls close and have a central count. This provision is being stressed because of the charges being made that fraud at the Republican primaries resulted in the counting out of a group of labor candidates for the legislature.

ORGANIZATION SUBMITS TWO ALTERNATIVES

Though only thirteen thousand signatures were needed to initiate the measure over twenty-two thousand were obtained in about four weeks, solely by volunteer effort. Immediately it became apparent that it would be submitted to the council the Republican Executive Committee hurriedly ordered its machine men to obtain signatures for a counter proposal. This petition proposed a council of nine also, nomination to be by wards and election at large, with no change in the administrative organization of the city. Between the time of submission to council and final action a critic pointed out that election by its terms must be by majority. At a meeting on September 2 no mention was made of the petition but a councilman introduced a charter amendment identical in wording except the word "majority", which word was replaced by "plurality." Having received a two-thirds vote, this will also be submitted to the voters. On the clerk's desk was also found another amendment. No one knows who laid it there or who wrote it. This one provides for nine councilmen each elected by separate districts, with no change in the administration organization: it too was passed and will also be voted upon. Neither dispenses with partizan ballots.

In an article which appeared in the last issue of the REVIEW, Dr. Upson said that the attitude which the Republican leaders sought to convey to him was, "if we have made errors we will correct them by our own efforts." These two loosely drawn and confusing amendments which ignore two of the Survey Committee's recommendations are the only earnest so far of that intention.

Further to confuse the voter the

election authorities have ordered that the two council amendments though drawn up and presented last, shall be printed ahead of the citizens' proposal on the special ballot which will contain all three, and such action has not made friends for the administration. In the past two weeks the people have been further angered by the passage of a new gas franchise, which at the last minute the mayor was forced to veto because of public indignation.

The terrible condition of Cincinnati's finance fully justifies the words of Dr. Upson: "Were the city of Cincinnati governed by the most high-minded and efficient administrators in existence, they could not possibly give the citizens the type of government to which they are entitled with the funds now available." This article is written a month before the votes are counted and the chances are strong that Cincinnati will try to get as much as possible out of her meagre resources, by hiring a manager. It will not be because every citizen understands that a city manager is technically a "controlled executive," nor because a Hare count has become as popular as Mah-jong.

Those back of the amendment represent a younger group of civic leaders in whom the average citizen can place confidence. Their explanations are being listened to with respect, but when a meeting breaks up, the same old remark that has done service in every other city manager campaign is heard on every side: "We don't understand all of this new scheme, but nothing could be worse than what we've got."

ST. LOUIS OUTGROWS PRESENT BOUNDARIES

BY HUGH K. WAGNER

President of Greater St. Louis Conference and Million Population Club

The metropolitan area of St. Louis has overflowed the boundaries of the city, but consolidation with the outside territory requires a constitutional amendment. :: :: :: :: :: ::

PRIOR to 1876 St. Louis was located in St. Louis county. In 1875 a new constitution was adopted by the state of Missouri, which permitted the city of St. Louis to separate from St. Louis county and simultaneously to extend its limits. In 1876 the scheme of separation from St. Louis county was adopted by the vote of the people in all of St. Louis county, including St. Louis city, and the city boundaries were so extended as to double the area of St. Louis city. At the same time, by an election in the city, a charter was adopted for St. Louis. Since then the city of St. Louis has been surrounded on its southern and western and northern boundaries by St. Louis county, but has not been in or a part of St. Louis county. It was for many years said to be the only city in the United States not located in a county. It has been governed, so far as municipal affairs are concerned, under the charter of 1876 and amendments thereto and the new charter, adopted in 1914. During all this time, certain state officers, territorially designated as "of the city

of St. Louis," have exercised jurisdiction and functioned in that city as if it were a county. For instance, just as there is a sheriff of Jefferson county, so, also, is there a sheriff of St. Louis city and has been since 1876. So far as the county government is concerned, St. Louis has been palatine territory. Under the scheme of separation from St. Louis county, adopted in 1876, the courts of Missouri have held that the city of St. Louis is a political subdivision of the state, *like a county*. For practical legal and political purposes, it is a county, though not so in nomenclature. It is distinguished from Missouri cities of the first class by the fact that it has a charter authorized by the constitution of the state. For this reason, although it is the largest city in the state, it is not a Missouri "city of the first class."

BOUNDARIES FOUND TO BE BARRIERS

The authority granted by the 1875 constitution to separate from St. Louis county, and, at the same time, to extend its limits, when once exercised (as in 1876), was exhausted. Constitutional authorization to separate does not include the converse, the right or power to reunite or re-enter St. Louis county. This as a possibility was not even contemplated by those framers of the 1875 constitution of Missouri who advocated separation of St. Louis city from St. Louis county. On the contrary, their idea was that it should be a "free city," resembling one of the free cities of the Hanseatic league. The extended city limits of 1876 were, furthermore, placed so far out that the wisdom of that day said that St. Louis would never grow to its new limits. Among other things of which they were ignorant at that time may be mentioned the trolley car and the automobile, which have caused expansion of all cities and the relief of crowded tenement and slum conditions previously existing, while affording every one an opportunity to live in the suburbs and yet to spend no more time in transit than was formerly necessary when living close to the heart of the city.

The boundaries of the city of St. Louis fixed in 1876 have, in recent years, been found to be barriers. St. Louis county has grown and developed in population and in wealth by leaps and bounds, due to the overgrowth of St. Louis city. The city has lost an enormous population into St. Louis county. This movement is continuing and even accelerating. The form of the county government is the same as that of any agricultural county, but the conditions have become largely those of a city. One of the main reasons for the separation of the city from the county in 1876 was that the ordinary county court is not well adapted to manage the affairs of a territory embracing a large and populous city. That reason for the separation is now an important reason for the reunion, because with the citified conditions in St. Louis county already mentioned, the county court of St. Louis county must deal with urban conditions of a territory thickly populated. There is under the form of government existing in St. Louis county no central and unified control of public improvements, and there can be none. If St. Louis county were a city, it would now rank third in population in the state of Missouri, St. Louis being, of course, first; Kansas City, second; and St. Louis county third. The problem is evident. *Res ipsa loquitur.*

CONSOLIDATION ADVANTAGEOUS TO BOTH

These are a few of the reasons why the forward-looking people of St. Louis county and St. Louis city desire the

limits of the city of St. Louis extended, so as to include part or the whole of St. Louis county. All large cities and many smaller ones are confronted with the same need. The main advantage to the city to amalgamate adjoining developed or undeveloped area is the control of public and private improvements, so as to forestall and prevent haphazard growth and improvements. The absence of city planning in the past has caused all large cities enormous and unnecessary expense for the straightening and widening of streets, the elimination of eye-sores, and the reconstruction or substitution of temporary, deficient, and inadequate improvements in the way of streets, sidewalks, sewers, and the like. City planning is too far advanced as a science at the present day for any community to permit the imposition of burdens upon its future due to the development of city conditions on its borders that will inevitably result in undesirable conditions that must be removed at community expense. The interest is mutual, of the city and its environs. The people who live in the suburbs derive their livings in the city. By the extension of the city limits they will be immediately benefited by the improvement of sanitary conditions through better sewers, by improved police and fire protection, better water and water service, lower insurance rates, better schools, and all the other advantages that arise from the agglomeration of an infinitude of small contributions that make the mighty whole of a large city. Self-evident as these truths are, opposition in the case of every city against the extension of its limits is found more in its suburbs than within itself. *Mutatis mutandis*, arguments are the same for the extension of the limits of one city as for those of another, the only difference being names, figures, and local conditions. There was heretofore no literature on the subject; but, during the last year and one-half, there has been produced in St. Louis a large amount of printed matter that arrays the arguments conclusively in favor of the extension of the city limits, explaining the motives of the opposition and answering their arguments, and placing the whole subject, whether as applied to St. Louis or other cities, upon an engineering and intellectual basis, instead of on the one point of increase in population figures.

SOURCE OF OPPOSITION

In all cities, the opposition comes chiefly from selfish interests of various kinds in the territory outside of the city. These selfish interests consist of public utilities not yet ready to sell to the city at an exorbitant price; politicians, officeholders, and would-be officeholders in the outlying territory and their relatives and friends; people who would rather be big frogs in a little puddle than little frogs in a big one; and many others.

The plan now before the St. Louis community looking toward the extension of the limits of the city of St. Louis is for the creation of a board of freeholders of eighteen persons, nine of whom shall be selected by St. Louis county and nine by St. Louis city. In order to obtain authority for the work of this board of freeholders, it is necessary to amend the constitution of the state of Missouri, due to the reasons set forth at the opening of this article. Initiative petitions have been circulated and signed to place this proposal for an amendment of the constitution on the ballot at the election to be held November 4, 1924 (the time of the presidential election). If, at that election a majority of all those voting on that proposition in the entire state of Missouri favor the amendment, the

constitution is thereby amended. Thereupon, upon the filing of petitions therefor in the county and in the city, the above-mentioned board of freeholders will be appointed within the next thirty days and is given not to exceed one year for its deliberations. The said board of freeholders is to prepare "a scheme for the consolidation of St. Louis city and county or the inclusion within the county of the territory within the city or the annexation to said city of part of the territory of said county and to adjust all other matters and issues that may be necessary to effect either of said purposes." After such scheme has been prepared and proposed by the board of freeholders the officers in general charge of elections in St. Louis county are required to order an election thereon, to be held not less than ninety days and not more than one hundred and eighty days after the filing of such scheme with them, and the officers in general charge of elections in St. Louis city shall order a similar election in St. Louis city. They are to be separate elections, a majority controlling in each. If the majority in each is favorable to whichever one of the three plans that the board of freeholders is by such constitutional amendment authorized to prepare and does prepare is made operative. The three plans, from which the board of freeholders is authorized by such amendment to the constitution to choose, are set forth in the said proposed amendment as follows:

> The people of the city of St. Louis and the county of St. Louis shall have power (1) to consolidate the territories and governments of said city and county into one legal subdivision under the municipal government of the city of St. Louis; or (2) to extend the territorial boundaries of the county so as to embrace the territory within the city and to reorganize and consolidate the governments of said city and county, and adjust their relations as thus united, and thereafter said city may extend its limits in the manner provided in Article XVIII, Chapter 72, Revised Statutes of Missouri, 1919, or as may otherwise be provided by law; or (3) to enlarge the present or future limits of said city by annexing thereto part of the territory of said county, and to confer upon said city exclusive jurisdiction of the territory so annexed to said city.

These are alternative plans. The board of freeholders will first determine which of the three it deems best, and then it will prepare a suitable scheme for effectuating the plan of its choice. Briefly stated, the first plan permits the inclusion of all of St. Louis county in St. Louis city; the second plan permits St. Louis city to re-enter St. Louis county and then to extend its limits in the same manner as if it were a "city of the first class" under the laws of the state of Missouri; and the third plan permits the striking off from St. Louis county of parts thereof and the addition of these parts of St. Louis city.

RECALL ELECTION OF DENVER MAYOR

BY DON C. SOWERS
University of Colorado

Mayor Stapleton was overwhelmingly sustained in the recent recall election marked by deception and fraud. :: :: :: ::

A RECALL election was held in Denver on August 12, 1924, to decide whether the present incumbent, Mayor B. F. Stapleton, Democrat, should remain in office. The result of this election was as follows: Stapleton received 55,535 votes; Bailey, his chief opponent, and former Republican mayor, 24,277 votes; Rice, 1,386 votes; and Haughey, 1,211 votes. The vote was a decided victory for Mayor Stapleton. This is the second time the recall has been invoked in Denver in recent years and on both occasions the attempt to recall the incumbent official has been unsuccessful. A few years ago an attempt was made to recall Alexander Nesbit, commissioner of safety, without success.

CHARGES CONTAINED IN THE PETITION

It is claimed by some that the recall movement started on the very day on which Mayor Stapleton was elected. It is stated that friends of Mayor Bailey, the defeated candidate, said at that time that no matter who was elected they would see to it that he was recalled within six months. The movement was brought to an issue, however, by the filing of a petition on March 29, 1924, signed by approximately 26,332 names, accompanied by the following statement of grounds for removal:

1. That during the time he has been in office of mayor he has not exercised, and does not possess, the common sense, executive and business ability, judgment and training, requisite and necessary for the performance in a satisfactory manner, of the functions of the office of mayor of a city and county of the progressiveness, size, and importance of the city and county of Denver, Colorado;

2. That during the period of time he has held the said office of mayor, he has caused and permitted, through the extravagance, incompetence, and lack of ability of himself and his appointees, the general taxes of the people to be largely and extravagantly increased over the preceding and former years without any public necessity therefor and without adequate results derived from the expenditures; that he has been lavish and wasteful with the public moneys; that he has permitted the streets, alleys, and public places in said city and county to get into a ruinous and dilapidated condition; has not afforded the residents and visitors of said city and county adequate and sufficient police or other protection; and, generally, his and his appointees' conduct and misconduct in office has hurt the good name, formerly the pride of every good citizen of said city and county;

3. That the said Benjamin F. Stapleton, through the office of the city attorney, has condoned and assisted in the violation of the statutes of the state of Colorado, in so far as it relates to, and provides for, an eight-hour working day for women;

4. That the said Benjamin F. Stapleton, by orders issued through his commissioner of safety, has caused the insult, abuse, and mistreatment of men and women, citizens of the city and county of Denver, as well as the mistreatment of the strangers visiting the said city and county of Denver;

5. That the said Benjamin F. Stapleton, because of his failure to provide a chief of police, and because of his failure properly to organize the police department, the said police department has become so demoralized that daylight

robberies are of daily occurrence and crime runs rampant in our midst.

6. That there has been too much attention to "peanut politics," "jay walking," and other trivial matters, and too little to important matters, during his administration.

FRAUD IN THE PETITION

The clerk of the council refused to accept this petition and protested a number of the signatures. The matter was taken into court where it was decided that the clerk of the council had no authority to pass upon the validity of a petition and that his only duties were to transmit a petition to the election commission. Protests were then filed with the election commission which conducted an investigation of the protests. Mayor Stapleton protested 16,000 names on the basis of a canvas that had been made of the signatures and in the hearings before the election commission actually proved that 400 names were fraudulent. On one petition 77 names out of 100 names were proved fraudulent. It was found that street numbers were given which did not exist; the street numbers were carried right through parks, capitol grounds, and other public places. It was proved that at least 20 names were of persons who had been deceased from two to ten years. Many names of children and unnaturalized foreigners were found on the petition. It was also brought out in the hearings that names were secured by misrepresenting the purpose of the petition. Some people signed because they were told the petition was for the purpose of securing a five-cent car fare, others were told that it was to secure lower lighting rates, and others that it was to secure free bread or light wine and beer. Five warrants were issued against circulators of petitions on the grounds of perjury. Four circulators were convicted of perjury of whom two are now in jail and two succeeded in escaping the authorities by leaving the city. The charter provides that all hearings must be concluded within fifteen days after filing the petition, and this precluded a complete investigation of the protested names, as approximately 20,000 names were challenged. The election commission ruled that in spite of the fact that 400 names were actually proved to be fraudulent, that there still were enough names to require bringing the question to a vote.

FEWER VOTED FOR RECALL THAN SIGNED PETITIONS

The citizens of Denver became thoroughly aroused over what they considered an abuse of the recall. They objected in the first place to the expense connected with the recall and in the second place, it was felt that if an elected mayor was to be subjected to a recall election at the whim of a group of disgruntled politicians, it would be impossible to get competent business men to run for the office of mayor. Accordingly, the business and professional men of the city organized an anti-recall association, established headquarters, raised funds, and proceeded to organize the citizenship of Denver against the recall. Many of the luncheon clubs passed resolutions protesting against the abuse of the recall; the ministerial alliance joined forces with the anti-recall group and all the Protestant ministers gave one service to the anti-recall movement and to the endorsement of the administration.

The results of the election gave an overwhelming majority vote for Mayor Stapleton, the present incumbent. Ex-Mayor Bailey, his opponent, received 2,000 votes less than there were purported signatures on the petition.

This has been jocularly explained by some people who state that some of the signers were either in prison or had to leave the city. The apparent explanation of the large vote for Mayor Stapleton was not so much an endorsement of his administration as it was a protest against what was considered to be an unwarranted exercise of the recall. The anti-recall group sought to make the vote for the present incumbent so large that no group of disgruntled politicians would ever again attempt to use it.

The cost of the recall election was $15,500 to which probably should be added the cost of the two registration days, amounting to $8,000 which makes the total cost $23,500.

KNOXVILLE'S FIRST YEAR UNDER CITY MANAGER GOVERNMENT

TEN PER CENT OF TAX MONEY HANDED BACK TO CITIZENS

BY ARTHUR R. GANOE

Of the Staff of the Knoxville Sentinel

DURING the twelve months Knoxville has functioned under the city manager régime the cost of government has been reduced $620,000 as compared with the preceding year's expenses under the commission form of government, the city's credit has been boosted to the point where it has borrowed some short term money at the rate of two and a quarter per cent per annum; politics and politicians have been swept out of city hall; and a program of public improvements has been mapped out and undertaken that dwarfs to insignificance the spasmodic, impracticable, plum-laden projects sponsored by former administrations.

Perhaps the single greatest sensation of the new government was the tax refund voted by city council July 30. This unprecedented action gave back to the taxpayers of the city 10 per cent of taxes levied for the current year, amounting in the aggregate to approximately $280,000. So far as known no municipality has ever returned a cent of taxes duly levied and collected, the only parallel being found in the federal refund ordered on 1923 income taxes. From coast to coast Knoxville's refund of taxes has been the subject of articles in the leading newspapers and many editors have made it the subject of stirring editorials.

A proper appreciation of the refund necessarily entails an understanding of the circumstances surrounding and contributing to the dénouement. The latter word is used advisedly.

OLD GOVERNMENT'S SPENDING ORGY

Until the beginning of this year but two things of transcendent interest had occurred in Knoxville since its million dollar fire in 1897. One was the official census count in 1920 which showed the city had grown 114 per cent in ten years; the other was the inauguration of the city manager form of government last October.

The growth of the town is of no importance to this story except as a contributing factor in establishing the new government. More explicitly, the

unusual increase in population produced considerable unexpected revenue, which in turn fostered an orgy of political corruption that finally became so open and intolerant as to invite drastic methods of purification.

The commission form of government, which replaced the aldermanic form in 1911, lent itself admirably, as every one knows or suspects, to the nefarious

POLITICS!
IF SO, IT'S A BRAND OF POLITICS YOU NEVER PLAYED!!
POLITICAL CLIQUE
10% OF TAX MONEY RETURNED TO THE PEOPLE
EFFICIENT CITY MANAGER GOVT.
DUNN

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schemes of public treasury looters, but until 1919 the politicians discreetly kept within the bounds of reason. Of course, the capital debt continued to pile up in an amazing fashion and each administration inherited from its predecessor a staggering load of floating debt. This concrete evidence of mismanagement furnished no specific details, however, to which the taxpayers could point with a denunciating finger and a demand for restitution.

In 1919 the people went to the polls crying for relief, for economy, for business management, and as usual they elected a bevy of commissioners who won their jobs through the secret collaboration of the two party machines. A large part of the record of these commissioners will furnish deliberations for future courts, but it is not necessary to dwell upon that part of their record to develop a refreshing contrast.

Other cities may cite administrations which divided the spoils behind the scenes. This administration was unique, in that the spoils were distributed while the public gaped, undecided whether to admire or denounce. With a few minor exceptions there was no attempt at camouflage, while from the meanest detail to the magnificent project, all known devices for picking the public purse were improved upon.

They skimmed the cream from the patients' milk at the municipal hospital to make eggnogs for themselves and crowed over the construction of a three-mile, million-dollar boulevard through a veritable wilderness inhabited by a single family—a boulevard designed to enhance the value of property contemplated for development into aristocratic subdivisions.

Annual one-hundred-thousand-dollar payments to the sinking fund, established to amortize the bonded debt, were quietly defaulted and the money applied to covering up deficits resulting from improvement of private property.

Twenty-three miles of two-inch water mains were buried and thereafter became "six-inch mains" in official grandiloquent references to the distribution system. The maps, if any ever existed, showing the location of these mains were thoughtfully "lost." However, a six-inch main, with nice red fire-plugs attached equi-distant from each other, runs the length of the wilderness boulevard, untapped and well mapped, as incongruous in its surroundings as the miles of concrete curb bordering the graded and uncompleted double drive divided by a curbed park-

way in the center which in turn is meticulously divided into block lengths.

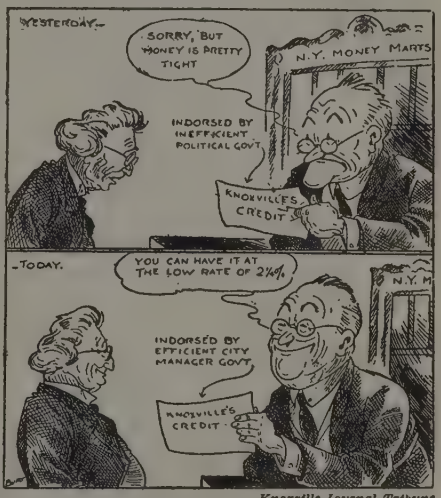
THE RISING OF THE PEOPLE

Even then, with a floating debt of $3,870,000 this amazing gang of political buccaneers might conceivably have squared itself with the people had it not been for a galling, egotistical self-sufficiency which developed rapidly and in proportion to the administration's boldness.

They became victims of a superiority complex rendering them immune to advice, warning and interference, and finally had the temerity to tweak the several noses of the local newspapers—an insult that has never been forgotten or forgiven. In so many words, the administration invited the press to go chase itself.

Now a tweaked proboscis has been known to increase the mortality rate in more peaceable communities than Tennessee, and as there are three newspapers in Knoxville, Nemesis was promptly introduced to the erring city fathers. Overnight the papers not only declared war, each in its individual way, but they evolved a co-operative compact that dissolved political barriers, in so far as the city was concerned, and pledged themselves to oust their erstwhile playmates in the quickest and roughest manner possible. Having agreed upon a common objective the papers added what they knew to what they surmised, multiplied the total by several thousand figures of speech and the trick was turned. A bloodless revolution was enacted by tight-lipped, fiery-eyed citizens led by a committee of one hundred, which obtained injunctions, filed suits and generally prosecuted the malefactors, who were jibed and hissed unmercifully when they appeared on the streets.

When the press mentioned the new city manager form of municipal administration there was an immediate and imperative demand for details. The papers and the committee of one hundred investigated and reported, the people were convinced they had found a solution for the graft problem, a new charter was drafted and rushed through the state legislature, a non-partisan ticket composed of men entirely averse to holding public office—the most of



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them wealthy, successful business men—was named and with one exception elected, and on October 1, 1923, Knoxville began to function under the direction of a city manager.

TENTATIVE BUDGET REDUCED EXPENDITURES $500,000

A *pro tem.* manager was installed until Louis Brownlow was employed at a salary of $15,000 a year. The new charter required the drawing of a budget, and the new council, with the assistance of Mr. Brownlow, drew up the budget basing their estimates upon the expenditures of the preceding year, arbitrarily cutting a half million dollars from the grand total, on the theory that if the former administration could

operate on the estimate they had drawn, they could do more on $500,000 less. Accordingly the final budget totaled only $3,863,823.

Lacking records to determine what revenues could be expected from sources other than taxation it was determined to raise the tax rate from $1.90 to $2.44 per $100 of assessed valuation, an increase of fifty-four cents, which the old line politicians, who had, of course, condemned and ostracised the unfortunate former commissioners, pointed to with a characteristic "We told you so" gesture.

The members of the city manager's directorate were then appointed at salaries which brought a gasp, even from the conservative supporters of the new government. After approval by the council these salaries were fixed as follows: director of law, $6,000; director of public service, $7,500; director of public safety, $5,000; director of finance, $6,000; director of public welfare, $5,000, making a total, with the city manager's salary, of $44,500 for the services of the departmental heads. Both party machines went into convulsions over that total, and in view of the fact that Mr. Brownlow and Director of Public Safety J. O. Walker, came to Knoxville from Petersburg, Va., and Director of Public Welfare Frank Bane was formerly the state welfare commissioner of Virginia, the politicians adopted "Carry Me Back to Old Virginia" as their slogan and closed their meetings by singing the song.

Subsequently a health officer and an engineer to take charge of the water department, were added to the payroll at $4,500 each per annum, and just recently a competent superintendent for the city hospital has been employed to reorganize that establishment at a salary equivalent to $5,000 per year.

CITY OWED ALMOST EVERYBODY

To return to the course of events, which were not very orderly, due to the disorganized state of records, finances and all departments of the government, Manager Brownlow began systematically to bring order out of chaos. When the audit of the former administration's books had been completed, an audit that cost approximately $23,000 as a result of the time consumed in locating records and documents or establishing their absence, it was found that the former commissioners had spent all the income derived from the inadequate $1.90 tax rate and close to four million dollars more.

There was only $38,000 in the treasury and the city owed practically everybody in Knoxville. The local banks were carrying so much of the city's paper they refused to advance another penny, and the New York financial institutions were chary of loaning Knoxville any money because no one knew what the debt of the city really was.

Before Mr. Brownlow was employed the mayor had borrowed $400,000 in New York in anticipation of the issue of revenue notes, but the city's credit was so poor that the bank making the loan refused to extend credit beyond three months, and required 5 per cent interest.

After Mr. Brownlow took charge he borrowed $1,500,000 in anticipation of revenue at rates varying from $4\frac{3}{4}$ to $2\frac{1}{4}$ per cent without any difficulty. As soon as these loans were negotiated the politicians added it to their propaganda discrediting the administration, and a little later, when the auditors established the validity of $2,750,000 of the inherited debt and city council authorized a refunding bond issue in that amount, as provided in the new charter, they kicked their heels in glee and de-

clared the city manager was adding millions of dollars to the city's debt. This, of course, was a blatant lie, but it had weight with the ignorant.

A little later, when the auditors had completed their task, showing that the balance of the floating debt was $1,120,000, council negotiated another refunding bond issue for that amount and Manager Brownlow disposed of the issue at par for 4¾ per cent, a distinct indication of the improvement in Knoxville's credit in the money market. The politicians accepted this issue with satisfaction, twisting it to suit their ends.

POLITICIANS PREPARE FOR FALL ELECTION

The chief reason for all this political activity was the legislative election this fall, the primary for which was held last August 7. Knoxville and Knox county nominated on that date representatives to the general assembly. And the politicians hoped to nominate their own representatives who would go to the assembly and put through amendments to the city's new charter which would enable them to regain their lost control. Therefore they chanted the increased tax rate, the high salaries, the "foreigners" imported to run Knoxville, and the million-dollar debts engineered by the city manager and council, twisting the facts to fit their fancies.

The newspapers formed the greatest barrier to the spread of the false propaganda disseminated by the unscrupulous politicians. With one accord the press seized upon each new political fabrication as soon as it began to circulate, tore off the camouflage and exposed its true meaning and falsity to the public gaze.

Members of the council, frowning upon political activity, declined to enter the lists against the enemies of their administration, thereby placing the burden of defense upon the press. Mr. Brownlow took no part in the fray. It was simply his duty to produce results and the results were immediately turned over to the press.

Even among the newspapers he picked no favorites, dividing the big stories equally between the evening and morning papers without even appearing to make such division. And if, perchance, he gave a story to one afternoon paper in the absence of a representative from the other he would call up the absentee and give it the details over the telephone. This absolute fairness was not productive of many "scoops" but it prevented a split in newspaper support that might easily have been fatal to the administration.

NEW ADMINISTRATION WORKED RAPIDLY

Results obtained from a newly organized machine, untried and untested, are often disappointing, but Manager Brownlow not only demanded success from his organization at the outset—he got it. And as the date of the forthcoming primary drew nearer with the crescendo and tremelo stops of the political ballyhooers wide open, the achievements of the administration began to present a defense of sorts to its nettled champions.

First there was completed a scientific school survey to determine the city's need for more schools, where they should be built and how much a tentative building program might cost.

About the same time a survey of the municipally owned water system was completed, showing what a perilous makeshift the obsolete pumping and filtration plants were. Then came a million-dollar street improvement program and directly upon the heels of this program the purchase of eight acres of ground in the heart of the city

at the remarkably low price of $452,000. Upon this site, which will eventually become Knoxville's civic center, there are nine good brick buildings. Even the rabid antis admitted the purchase was a clever stroke of business. Two of the buildings were set aside to accommodate city offices, and the rest of the group are now being used to house 900 school children since one of the junior high schools burned down.

Meantime the one member of council elected by the politicians took it upon himself to address a political gathering of Republican women. During the course of his address he was said to have declared that his colleagues had plunged the city into debt over two million dollars during the eight months they had held office.

A single reporter attended this meeting, but one was enough. The newspapers took the bit in their teeth and forced the matter to a showdown. They pointed out that a section of the charter provided other members of council with sufficient authority to rid themselves of a member who charged what he could not prove. Council promptly investigated, the erring member defied them, and they promptly tried him for his defiance. The unanimous verdict was "guilty," but they were too wise to impose a rash sentence. As a punishment they merely ordered the entire court proceedings on the minutes, "to stand as an everlasting record" of the guilty man's disorderly conduct. Expulsion would have made a martyr of the ousted councilman on the strength of which martyrdom he might easily have been nominated to the state legislature.

This was practically the status of affairs seven days before the primary. Both political machines were backing anti-charter candidates and the old committee of one hundred publicly endorsed the candidates of both Democrats and Republicans who had pledged themselves to give the new charter a substantial trial. However, the backing of the machines was vital, organized backing, while the pledged candidates not only lacked organization but had to fight their own party machines. The machines both claimed an easy victory, the charter friends were dubious to say the least. In fact, the most astute neutrals conceded the politicians a clean sweep because the right kind of people—those who had cleaned up city hall a year before, would scarcely take the trouble to register and vote.

TAX REFUND WINS THE PEOPLE

Then out of a clear sky came the 10 per cent tax refund. City Manager Brownlow, with the aid of his daily audit system, found the city had already collected over $300,000 in revenues which had not been anticipated when the budget was prepared because there were no records to show this money had been collected by preceding administrations, or if collected, how it had been spent.

So he recommended that 10 per cent of the taxes levied for the current year, amounting to approximately $280,000 be returned to the taxpayers.

Council carried the recommendation into effect with unanimous accord, the only pertinent comment being that of the single councilman elected by the politicians. He said: "I'm for it, of course, but its nothing but politics," and no one thought it worth while to contradict him.

To get back to the primary, after the smoke had cleared it was found that out of seven candidates elected only one was not pledged to support the city manager charter and even he won only by the narrow margin of 17 votes. Analysis of the returns showed the city gave a comfortable majority to

every pledged candidate, and the one unpledged candidate was elected by a heavy majority in the county and outside the city.

Of course, Mr. Brownlow asserts that the election had nothing to do with the refund, but nevertheless the refund had quite a bit to do with the election and it undoubtedly saved the charter from the sterilizing amendment prepared by its enemies in anticipation of victory at the polls.

THE SAN FRANCISCO BOARD OF SUPERVISORS AND CONSOLIDATED GOVERNMENT

BY WILLIAM H. NANRY

Director, San Francisco Bureau of Governmental Research

Clear-cut administrative responsibility upon the mayor is impossible because of the extent to which the council participates in administrative work. :: :: :: :: :: :: :: :: :: ::

San Francisco, which ranks as the eleventh city in the country, on the basis of population, has a consolidated city and county government. Its "legislative" body is a board of supervisors composed of eighteen members, functioning on matters incidental to both municipal and county administration.

Members of the board are elected at large for four-year terms, nine offices becoming vacant every two years. The supervisors, as well as other city and county elective officials, are voted on in the odd-numbered years, thus avoiding conflict with state and national election campaigns. Supervisors are paid $2,400 per year, and, as required by charter, meet regularly as a board once each week.

Under the charter, the mayor, who is an elective official independent of the board of supervisors, is the presiding officer of the board. The mayor has complete power of appointment of members of various boards and commissions without the requirement of confirmation by the board of supervisors.

PREFERENTIAL BALLOT UTILIZED BUT LITTLE

Under the San Francisco election procedure candidates for elective offices are required to file a declaration of candidacy with the registrar of voters, and to pay a filing fee of twenty dollars. Each candidate must also have not less than ten, nor more than twenty, sponsors appear before the registrar and certify under oath as to the qualifications of the candidate. This simple and easy method of nomination usually results in an unusually large number of candidates for the nine supervisorial offices to be voted on in November of each odd-numbered year.

The election system in San Francisco involves the use of the so-called "preferential ballot," designed to give to the voter additional choices for as many offices as are to be voted upon. Candidates are required to receive a majority to secure election. If the tally of first choice votes does not result in the election of the required number of candidates, second and third choice votes are added, in sequence, to

first choice votes. The adoption of the preferential ballot system wiped out the primary election on the theory that exercise by the voters of such additional choices obviated the need for a primary. In actual practise, however, an insignificant percentage of the voters exercises additional choices, which additional choices are not effective, except in cases of a practical tie between candidates on the tally of first choice votes.

NONPARTISAN ELECTIONS

Municipal elections in California are required to be held on nonpartisan bases. However, the influence of national parties is felt in the ratification of the candidacies of individuals by the county committees of the parties. Yet such ratification in many cases disregards party lines.

This nonpartisan requirement has served to develop nonpartisan groups and organizations for the support of individual candidacies. Although no analytical study has been made to appraise the actual effect of the endorsement of candidates by such nonpartisan groups in San Francisco, it is the common belief that such effect is tremendous. These nonpartisan groups at the present time include organized labor working through two central organizations, the Labor Council and the Building Trades Council; a confederation of civic and local improvement clubs, and another organization made up of individuals which has functioned at the last two elections for the purpose of "drafting" and supporting citizens as candidates for public office.

Although San Francisco has a consolidated city and county government, consolidation has been carried out only as regards the legislative body and the "financial" offices. These, in the usual form of separate city and county governments, are separately provided in the organization of the county and each municipality therein. The duties of the various officers designated as "county officers," such as sheriff, district attorney, county clerk and others are, in most cases, not specified by the charter, but are made subject to general laws passed by the state legislature.

San Francisco operates under a home rule charter, adopted in May, 1898, and which has been amended in probably one hundred and fifty particulars since it went into force and effect in January, 1900. This provides for a mayor-council form of government, with, theoretically, the usual separation of powers—judicial duties vested in various courts presided over by elective judges as city or county officers, legislative functions in the board of supervisors, and executive functions in the mayor.

Actually, however, most of the executive and administrative power is centered in the board of supervisors. The mayor, although designated by the charter as "the chief executive officer of the city and county," functions publicly as an executive principally in his power of appointment of the various boards and commissions which head the administrative departments. As the political leader in the municipal government, however, the office of mayor is presumed to carry tremendous power in the determination of policies and administration in the conduct of city affairs.

SUPERVISORS DABBLE IN ADMINISTRATION

As a routine of administration, executive power and administrative control is largely centered in the board of supervisors. Municipal policies and operations are controlled principally through the annual budget. The

charter specifies that the supervisors shall make the budget and further vests financial control in the supervisors, exercised through the finance committee, in the authorization of expenditures after the budget is passed, and the approval of demands after the expenditures are made or contracted for.

Analyses and study of the San Francisco governmental organization and procedure indicate that the principal defects to be corrected center about the dual administrative and executive function of what is presumed to be the "legislative body" of the city.

The charter requirement that demands be approved by the supervisors before they may be approved by the auditor is a distinct executive procedure that should be fully handled by the executive branch of the government and under proper organization and procedure should not concern the supervisors. Until July, 1923, about one-half of the city purchasing was handled by a committee of the supervisors; under the revised procedure the new bureau of supplies headed by a purchaser is still under the supervision of a supervisorial committee. This also is an executive function, the performance of which in private corporations and reorganized city governments is in the hands of a purchasing agent either directly subordinate to the chief executive or in some city governments a subordinate of the chief fiscal officer.

Under the provision of the charter that "the board shall establish rules for its proceedings," the board through its several committees administers such distinctly administrative functions as the management and leasing of the Civic Auditorium; the purchase of land for schools and other purposes; the investigation of applications for numerous and various permits; the lighting of streets, parks and buildings; the investigation of water and telephone service complaints; the conduct of band concerts; the control of public building repairs; the consideration of many operating details of the municipal railways; the consideration of all subjects relating to the construction, maintenance of streets and sewers, etc.

The charter also requires that the board shall appoint a committee of three to be called the finance committee, to investigate the transactions and accounts of all public officers collecting or expending funds, examine the records of all persons or corporations to be licensed or taxed on the basis of gross receipts, etc. It is this committee which makes up the annual budget from budget estimates submitted by the various departments, and which approves all demands and recommends to the board the appropriation of money previously provided for in the budget. These activities are executive functions. The chief executive of any *effective* organization would be seriously hampered without the power to do these things or without provision for performance of these things by subordinates of his organization.

SOUND PRINCIPLES VIOLATED

The effect of these charter provisions is to delegate executive control to the legislative body. It is a fundamental principal of organization that executive work cannot be handled successfully by any group, no matter how representative or efficient the individuals of the group may be. These functions imposed by charter on the supervisors, which as a board meets only weekly, has forced the active functioning of the many supervisorial committees that participate in administrative affairs. The board with a long calendar to be disposed of at every weekly meeting,

in addition to many noncalendar matters which are usually brought up, is forced, if it is to function at all, to approve the acts of such committees almost blindly. Most of the matters on which the board must vote are approved by "general consent" without roll call.

An important defect that is a natural by-product of the intermingling of legislative and official functions is the lack of constructive criticism within the organization which this forces. Under the charter the board of supervisors is the appropriating body, the revenue-raising body, and to a considerable degree, the auditing body and the expending body. The board directly controls about twenty per cent of the total budget expenditures. The board naturally is not in a competent position to criticize its own acts.

No power of constructive criticism to apply to such duties is provided for in the official organization of procedure. The mayor, under the charter, has no centralized and effective administrative power; acting as a presiding officer of the board he can offer little constructive criticism, except with regard to supervisorial conduct or actions on questions of broad municipal policy. He has no means of currently and regularly, and as a matter of routine, acquiring complete information as a basis of criticism of the board's administrative operations. If procedure were provided whereby he could regularly acquire such information and exercise power of review, it would be the reverse of the proper procedure. The legislative body should review the actions of the executive, rather than the executive review the administrative acts of the legislative body.

As to matter of practical operation, the supervisors as a board are largely dependent upon the finance committee for information upon which official action relative to finances or funds must be based. In a sense the board reviews the acts of the finance committee. Actually, however, with the intricate and voluminous financial procedure of the city, the board is usually in the position of having to act on the finance committee's judgment, due to lack of complete and written comparative information upon which alternative or amendatory proposals might be based. In the passage of the annual budget which establishes the yearly administrative plan, and is the fiscal procedure with which the supervisors, as a board, come most intimately in touch, this is particularly true.

The functions of planning, proposing and executing, as distinguished from reviewing and approving, are separate and distinct, and the same officials should not perform both. The system emphasized by the San Francisco charter interferes seriously with any executive administration as such. From the legislative standpoint, the executive standpoint, and from the standpoint of interjection of the executive into the legislative body, the San Francisco procedure is defective.

Consideration of the San Francisco legislative body, therefore, must take into account that it is not simply a body, representative of the citizens body, to function on matters of policy and legislation. It is, in addition,—although obviously the members are not elected as experts in the particular lines they are to supervise,—an administrative body functioning in some particulars in a manner similar to the commission, under the commission-form of government, and in other particulars vested with varying degrees of administrative power and control.

WHAT'S THE MATTER WITH CONGRESS?

A PROPOSAL FOR LEGISLATIVE LEADERSHIP

BY RICHARD S. CHILDS

Vice-President, National Municipal League

WHAT'S the matter with Congress? Let us in imagination go up to Capitol Hill and watch it work.

There in a vast chamber slightly smaller than a railway train shed and about as noisy, the house of representatives, or rather a fragmentary attendance thereof, is at its business of making skillful and scientific adjustments in the economic, social and administrative mechanism of this whirling age! And they are ostensibly doing it by the quaint procedure known as parliamentary law!

My thesis is that parliamentary law in this situation is an anachronism, that fortunately it has already been largely discarded, leaving only its outward shell, and that the realities of the process of legislation should be hauled up into the daylight, sanctioned as official and legal, and tagged with personal and conspicuous responsibility at every stage.

REPRESENTATIVE A AND THE TARIFF ON DOLETROTOLUENE

Parliamentary law is a wonderful invention and I have seen it work admirably, for instance, in a constitutional convention of 150 members with a limited amount of business. It will always have its place in congress but a much smaller place than now or formerly. It was entirely appropriate in the congress of a simple agricultural nation of five or ten millions. For in those primitive days when shoes were made by the village cobbler, when meat was slaughtered and sold by the village butcher, when travel was by horseback and ships were sailed by their owners, a flock of representatives—any fair average lot of citizens of jury standard—selected by any sort of lottery such as a rough-and-tumble political election, could not only pass adequate judgment upon legislative proposals submitted to them, but could easily write such legislation, debate it, amend it on the floor and pass it with pretty full understanding of why they were doing it, whom it would affect and just how it would affect them. The business was neither too vast, too voluminous nor too technical to be handled by such men and by such a procedure.

But when Representative A helped to determine the duty on a certain remote twig of the coal tar genealogical tree known as doletrotoluene, he did not know he was hurting my bluing business and costing me personally a thousand dollars. I am confident he never even smelled doletrotoluene, or knows now whether I am giving the real name or a coined one. And it would be utterly absurd for anyone to assert that he ought to know, or that he ought to have known when he voted. I never met but one man who might expect Mr. A to know. He was a North Carolina mountaineer who was regarded as the local sage in his hamlet because he subscribed to the Congressional Record. "I like to read them speeches," he told me. "They're reliable. Them fellers knows what they're talking about."

But the congressman on the floor, saying something that sounds reasonable, hopes it's true and is secure in the knowledge that the only persons who are expert enough to untwist his "facts" are writhing in helpless silence in the gallery.

TIMES HAVE CHANGED

Many institutions of government that fitted the simple needs of stage coach days are obsolete now. The town meeting gives way to the technical bureaucracy of modern municipal government. The justice of the peace who could deal with the swindling village cobbler is helpless to deal with a shoe machinery trust. The legal process that would keep the village butcher within the limits of fair dealing is feeble and futile against great packers' corporations. The railroads cannot be handled as were the travelers on the post road.

I submit that the cow is a useful element in shoe manufacture, but a cow cannot operate a shoe factory.

And I submit also that a congressman, chosen because he is a good spokesman of the people back home, cannot do much but moo when called upon to deal with doletrotoluene.

Now I have a thorough respect for the typical congressman. He is a better grade of human material than any other legislators in this country. The process that gets him into congress compels him to have, at least, a certain crude ability. He bows to no bossism outside of congress—there is no national boss in either party. His outlook is that of his district, which probably is as it should be. He takes no graft except such perquisites as are sanctioned by open usage. And just as we cannot reform the people, so likewise is it true that we cannot reform the type of congressman, but must take the type as a fundamental fact of the problem. I am not sure we should reform the type if we could. The congressman's faults are those of representatives, the faults that go with being a fair sample of the people. To try to reform the type of congressman would be like trying to reform the type of trial jurors.

But just as we do not impose upon jurors the expert functions of the judge, just as we do not ask jurors to determine points of law, so also we should not invite popular representatives—lawyers, farmers, merchants and politicians—to deal unaided with doletrotoluene. There should be a division of functions. Representatives should stick to their lasts and be representatives and have at their service, separately and responsibly organized, expert and research facilities. And every action of congress should pass through both the scrutiny of *experts* to see if it be right as to science and facts and the scrutiny of *representatives* to see if it be right as to popular acceptability.

SPECIAL INTERESTS SUPPLY EXPERTS

On many items of congressional business this is happening now. The Anti-Saloon League supplies expertness to a dry majority; there was small reason to fear that the Prohibition Amendment or the Volstead Act missed any tricks. The administrative departments first put through an expert staff the bills that they plead for in congress. The tariff-making committees have no difficulty in getting the attendance of experts from every industry. And most of all, the budget process filters through a staff of experts the great volume of questions that center round expenditure, and the questions of whether new horses are needed at West Point, or new cells at Atlanta Penitentiary, or salary increases for consular attachés in Siam, are just as purely technical ques-

tions as the duty on doletrotoluene.

I do not argue that any great part of the modern business of a congress is over the heads of popular representatives. I imagine that almost any congressman could get a firm grip on almost any question, however technical it might be, if he could address himself to it under competent tuition and put in time enough to learn all about it. But it is a sheer impossibility for him to do that; he must trust experts, and, outside of the budget, he has no experts to trust. Those experts who serve him now are too frequently bent on getting something—something quite illegitimate perhaps—and hence to be regarded with suspicion and taken with salt. They are not serving the congressman and from his viewpoint, except the budget bureau. And I want to see every piece of legislation pass through a staff scrutiny just as the budget does, or just as court action passes under the joint scrutiny of a judge learned in the law and a jury of amateurs who have not lost their freshness of view. Congress seems to me like a jury trying to conduct a trial without a judge, settling the knotty points of law by itself. The simile could be pushed further by imagining the jury to be overwhelmed with cases and desperately crowded for time, so that, in the hurly-burly, the glib oratorical phrase or the dexterous appeal to prejudice count for far too much. The speeches in the Congressional Record show this constantly—a few facts, obviously selected for their dramatic value rather than their actual importance, the reduction of a large matter to a snappy epigram, the effort to win laughter and applause. Large-scale oratorical parliamentary debate is an impossibly cramped medium for working out truth on the modern technical subjects that come before congress. If the 435 members of the house were all present and listening and if the seventeen seconds of ostensible consideration that were given to doletrotoluene had been spread out over a full day, they would probably still be less likely to arrive at the truth than one expert field investigator.

Neither the membership nor the procedure of congress is adapted to the grist of technical business that must nowadays be fed into the legislative mill at Washington.

PROCEDURE SHOULD PROVIDE FOR LEADERSHIP

Now for a second point, a more familiar one:

The mere volume of business of congress is too great to be digested by the processes of parliamentary law on a large and clumsy scale. Here we encounter no problem as to mental limitations of members of congress; it is all a matter of procedure and of getting members of congress to consent to a reformed procedure.

Congress at present does not cover its calendar. It hardly makes a beginning. All the real business is done by being given a preferred position out of its order. Unless your bill is one of these privileged bills, it will never be reached. The calendar had so little chance that an effort was made to resurrect it to a part of its ancient importance by the institution of Calendar Wednesday, a special day on which the calendar was *not* sidetracked. By that device, congress got a somewhat larger nibble of early bills on the calendar, but the situation was not radically changed. Congress chokes and gags on a small fraction of the business that is urged upon it. Congress could not cover its field even by the most expeditious of procedure and the most diligent attention to its duties, yet the procedure is needlessly dilatory.

The most preposterous item of non-

sense is the roll call which in the house requires nearly an hour. This can be reduced to three minutes by electro-mechanical voting, requiring only the consent of those leaders whose power rests on the maintenance of log-jam conditions.

Lynn Haines estimates that three-quarters of the time of congress not given to privileged matters is spent on purely local and private bills, special pensions, claims, etc. This is not only wasteful, it is corrupt, and is curable by a few simple general laws delegating such petty matters to appropriate administrative authorities and keeping them there.

Congressmen are necessarily inattentive to their proper duties because they are overrun with importunities from their constituents. The congressmen, unduly sensitive to that kind of pressure, become patronage brokers and overrun the administrative departments with pleas for special favors. Civil service extensions and a more complete separation of administrative and legislative functions could cure most of that.

But even with all such reforms, parliamentary law on so large a scale has so limited a capacity that congress could still not handle its business.

HOW THE BUDGET AFFECTED PROCEDURE

Now we have taken the largest single item of important technical business out of the old parliamentary process and put it through a new routing at an enormous saving of congressional time and a great gain in quality of output. I refer again to the budget. A technical staff sifts the estimates; it studies the needs not by the labored and inadequate process of question and answer, with stenographer present, before a somnolent congressional committee, but by field inquiry by investigators and specialists; it produces a completed document endlessly substantiated by subordinate documents in the hands of men who understand them and can defend them. The budget bureau is independent of the departments that are seeking the appropriations; it is, so far as our constitution permits, the servant of Congress in the matter. The budget prepared by experts is then ready for consideration by the popular representatives. Their work is no longer amateurishly creative, it is the much simpler and more understandable one of asking such questions as suggest themselves and getting responsible answers; of offering criticisms and considering them; of deciding whether or not to follow the responsible Presidential leadership. Visible responsible leadership, subject to correction! Expert staff work subject to challenge! That is, in principle and in practice, modern and correct (even if Alexander Hamilton did invent it 130 years ago!)

My proposition is that this modern method of responsible and expert prior preparation of legislation be applied to all other legislation. I would require that before any bill reaches the desks of the members, it must be sponsored by responsible central leadership and subjected to analysis and report by an expert staff. In other words we must profit by the experience of the mother of parliaments at Westminster and let a ministry backed by a technical staff, bring in all the bills and control the order of business, subject always, of course, to the final consent of the rank and file of the members. The individual members of congress, as in parliament, must give up the present empty privilege of dropping their individual happy thoughts into the bill-box with the hope of trading and importuning these bills into the limelight for consideration and passage. They must

resort to the less creative and more negative function of jurymen whose assent is vital but whose activity and variety of function is restricted.

Let the new rules create a central committee. It could be handpicked by the president from the two houses of congress in which case it would be a simple legalization of the presidential kitchen cabinets of the past, but a serious difficulty would arise in those years when the congressional majority was adverse to the president. Another and perhaps better way would be to have it elected by the two houses by proportional representation so that the minority could share the advantages of being on the ground at the formative stages of the legislation. This scheme appears in the National Municipal League's model state constitution.

Give to this central committee the prestige of meeting regularly with the president for the consideration of legislative policy in the president's rarely-used room in the Capitol. Put at the service of this committee a staff of investigators, bill-drafters, attorneys and experts and advisory-experts-on-call, headed by a chief of staff with adequate personnel and funds.

THE EXPERT STAFF

The function of this expert staff would be to make all the inquiries necessary for the intelligent preparation or revision of bills. The staff would act, not by the crude parliamentary process of having an attorney examine witnesses before a committee with miles of dialogue taken down and printed in fat, black, unreliable books, but by sending its trusted men to the evidence wherever it be and by hiring the best experts to help prepare the bills.

The central committee would have the powers of the rules committee over the time of congress, and have prior rights on the floor and on the calendar just as the British ministry has. The bills brought in and advocated by the central committee would have the prestige of presidential support and perhaps the advertising of a president's message. They would have the prestige of expert preparation and the backing of the experts' facts. The members of the central committee, with the prestige of authorized leadership would be ready to explain or defend every challenged clause.

If an individual member of today has a pet idea, he is helpless unless he can secure the attention and co-operation of certain vaguely-identified leaders and committee groups. So likewise he would continue to be helpless if the central committee should be unsympathetic. But it would be less irritating to be balked by a responsible and duly elected authority than by the self-anointed leaders who today maintain their power by holding strategic points of control over patronage, private and local bills, etc., whereby they keep members unwillingly in line and punish insurgency.

Parliament is nearly twice as big as congress but it is orderly. There is no such chaos as at Washington. And the life of a member of Parliament is more self-respecting, more free from errand-boy pettiness and subserviency than that of a congressman. No patronage binds him to obedience to the leaders. It is very essential that the grip of our congressional leaders upon their fellow members be broken, for it is an illegitimate grip, arising from the fact that their leadership is unlicensed, a position seized by force, unrecognized in form, covert in organization, almost secret as if something to be ashamed of. Yet it is necessary, a natural outgrowth of otherwise intolerable chaos.

Make it no longer necessary for that

leadership to get its power by preserving log-jam conditions and patronage brokerage and control over the private bills of independent-minded members! Acknowledge the realities and make the outward aspect conform to the facts!

Recognize that leadership as a desirable institution, dignify that leadership with honors, authority, opportunity, titles, presidential cooperation, technical support! Give that leadership a respectability and a responsibility worthy of its great place.

HOW MODERN TRAFFIC AND THE CITY PLAN AFFECT DISTRIBUTION OF PAVING COSTS

BY W. W. HORNER

Chief Engineer, Sewers and Paving, St. Louis

How St. Louis distributes the cost of her streets among her citizens.

THE great change which has taken place in our vehicular transport in the past twenty years has had its effect on every phase of the street system of our cities. Twenty years ago a city was required to provide for a few thousand horse-drawn vehicles on its streets, and the drivers of these vehicles were not, as a rule, highly critical of the character of the street paving. Today the horse-drawn traffic has decreased somewhat, but there has been added the passenger automobile and the motor truck in numbers which even ten years ago could not have been imagined. This enormous increase in traffic has made it necessary for all of our cities to develop great systems of major thoroughfares of ample width to carry ten or fifteen thousand vehicles a day without congestion. It has lined the curbs with standing vehicles, increasing the congestion and presenting new problems. These are matters which affect the planning of our street system as a whole.

NEW TRAFFIC DEMANDS SMOOTH SURFACES

To the municipal engineer the change in traffic is brought home most directly in its relation to the street pavement. It has been found that this new traffic breaks up and wears out our old types of pavement at such a rapid rate that many classes of paving formerly satisfactory are now considered obsolete. This new traffic brings on to the pavement truck loads of ten and fifteen tons, the carrying of which requires foundations which would formerly have been considered extravagant. Also it is insistent in its demand for smooth surfaces.

These factors are increasing enormously the amount of paving which must be done, and at the same time are increasing seriously the amounts expended for paving purposes. In general, the excessive weights of trucks, and the high speeds of motor cars may be restricted somewhat, but the situa-

tion as a whole must be squarely faced, and our city pavements must be put in condition to carry safely and comfortably the traffic which the public provides. The detailed studies required to produce proper paving for modern traffic are the particular problems of the municipal engineer. There is another problem which is also one for the municipal engineer and official, but at the same time one requiring the consideration of every vehicle user and tax payer; that is, the problem of producing the funds required for this paving, and of supplying them from the sources most directly benefited.

MAJOR STREETS

Since the indiscriminate wandering of this dense traffic throughout our cities involves a serious loss to the traveling public, and is unfortunate in its reaction on real estate values, the first problem today for the city planner and the paving engineer is that of providing proper traffic ways which will lead this traffic into well-defined and properly regulated channels. These traffic ways may be developed entirely through the provision of a proper pavement on existing well-aligned streets or through the opening and widening of existing thoroughfares in connection with the development of the major street plan. Either class of traffic way presents an unusual problem in pavement engineering and the proper solution of this problem will invariably result in a pavement charge much in excess of that for the local residence street.

PAVEMENT COSTS

It is undoubtedly true that the purely local street requires a pavement today of a more expensive character than was considered necessary fifteen or twenty years ago and our whole scale of pavement charges has increased in a somewhat greater ratio than have the cost of labor and materials. An average cost of the first class pavement on a 30-foot residence street today, is about $10 per front foot. This pavement will consist of the usual well-dressed granite curbing, a five- or six-in chconcrete foundation and, generally, of a hot mixed bituminous surface.

On the other hand, our special traffic ways will involve roadways of 36 to 40 feet in the heavy haulage districts, on which the paving will consist of the same granite curb, a foundation of eight or nine inches of concrete and a wearing surface generally of close dressed granite block. A pavement of this type will average more nearly $20 per front foot and even on the intermediate heavy traffic ways, where vitrified brick may be used, the cost would hardly be less than $15.

Our other type of special traffic way, which is more properly designated as a major thoroughfare, will have roadways of from 50 to 80 feet in width, a concrete foundation of probably seven inches in depth and a smooth bituminous surface. It will cost from $18 to $25 per front foot.

It would seem necessary to recognize, therefore, that under modern traffic conditions and with proper planning, both of the major streets and of the street pavements, our paving projects must be divided into two fairly distinct groups, on the basis of the service rendered and of the character of the benefits to the abutting property and to the city at large. It would appear that in the case of these unusually expensive pavements there is invariably a general city-wide benefit in excess of that incident to the paving of the average street, and that this benefit, together with the recognition of what seems to be an excessive cost if the whole expense is charged to abutting property would justify modification to common

methods of distributing the expense by special assessment.

This situation contains nothing that is essentially new, for every town has had its Broadway and its Main Street and has had its lanes and by-ways, but the newer traffic condition is bringing the distinction home in a way that we have never before been forced to recognize it and modern city planning is producing a definite distinction between our thoroughfares and our residence streets, which makes it possible to adopt a logical policy in the financing of their pavements.

ST. LOUIS EXPERIENCE

St. Louis has passed through a number of forms of paving assessment procedure. Prior to 1876 the cost of paving was generally paid by the city out of the proceeds of short term bonds. This cost was prorated against abutting property on a frontage basis and the charges so arrived at were added to the general tax bills against the particular piece of property and collected with the general revenue tax of the year. After 1876 the paving was financed by the issuance of special tax bills, direct to the contractor, the assessment being prorated entirely on the abutting frontage. In 1902 a charter amendment changed the prorating and provided that one quarter of the cost should be charged on the abutting frontage and three-quarters on an area basis against the property within a taxing district, this district being limited by the lines midway to the next public street. This system produced numerous inequities, and in 1914 was changed in two respects. The amount assessed against the frontage was raised so as to be one-third of the total cost and two-thirds was assessed on an area basis against the property within a taxing district, but the laying out of the taxing district was made discretionary with the board of public service. In rectangular street systems the board has generally followed the principle of the midway line, but has been able to make special provision in the case of irregular streets, so as not to work serious injustice to property peculiarly situated. This is the system under which St. Louis is now working. Under its charter, the whole cost of paving and of repaving is assessable against adjacent property in the manner outlined.

PAVING FROM GENERAL REVENUE

In recent years three factors have entered into the St. Louis paving work, which have tended to complicate the operations under this charter. The first is the matter of resurfacing of streets by the city's own maintenance forces. The city possesses a municipal asphalt plant and fairly well organized maintenance sections for each type of pavement. These forces are expected to do repair work only, but as usual, it is found difficult to draw the line indicating where repair work stops and resurfacing or reconstruction begins and in a number of instances, the repair divisions have preferred to resurface completely, and in a few instances, practically to reconstruct a pavement rather than to continue what was considered expensive maintenance. In these instances, the property holders secured what was practically a new pavement without incurring any assessment. It should be noted, however, that in most instances this work was done on what would be considered, if not major thoroughfares, at least important traffic ways.

The second complication has arisen from the use of a local gasoline tax. About five years ago St. Louis passed an ordinance levying a tax of one-half-cent per gallon on gasoline for automobile use sold within the city limits.

The various automobile interests and the gasoline companies were inclined to contest the constitutionality of this ordinance, but after considerable discussion, agreed to pay the tax with the proviso that the money so derived should be set aside and be used for the repairs of important traffic ways under the general supervision of an informal committee composed of city officials and representatives of the various automobile and gasoline interests. A large part of these funds have been expended on what is unquestionably repair work, but in many instances they have been used for the practical reconstruction of certain traffic ways. Again, as in the first case outlined above, certain abutting property has secured new paving without incurring any assessment.

Finally in 1918, under the urgency of an unsatisfactory paving surface condition which had developed from the neglect of the war period, a small paving bond issue amounting to $360,000 was passed and the money expended largely for resurfacing of an emergency character. In some instances, this bond issue money was used to reconstruct foundation or curb and the property was assessed for the surface, but in others new surfaces were paid for directly from bond funds. Here again certain property secured a new pavement without incurring an assessment.

ST. LOUIS PLAN

As a result of these complications, a great deal of complaint had developed that the property on one street was being assessed for new pavements while the adjoining street was being paved from general funds. While the so-called free paving was not extensive and generally amounted to less than 10 per cent on the year's program, the lack of a definite policy was unquestionably objectionable. When the program of the $87,000,000 general bond issue of 1923 was being prepared, this matter was seriously discussed and out of numerous conferences on this subject there finally developed a policy which was the basis of fixing the amount of bonds for paving purposes to be included in the general issue, and which also established a basis on which this bond money would be expended. This issue which has been passed and from which funds are now available, included a sum of $5,800,000 for the paving of streets. No particular streets are designated under the issue and no definite ordinance has been passed regulating the manner in which the money is to be appropriated, but the established policy, which is being rigidly followed, involves an expenditure of this money over a period of from twelve to fifteen years and under the following general conditions:

First. No single street of any character will be paved outright from the proceeds of these funds, except small triangles and cut-offs, which are a part of the major street plan and which are so situated that the assessment of the paving could not be equitably worked out.

Second. No wearing surface will be paid in any part from these funds, but must be carried through entirely by special assessment.

Third. The funds will be applied only toward paying a part of the cost of the paving of major thoroughfares or special heavy traffic ways. They will be furnished as an aid to these projects in amounts varying from 25 to 50 per cent, as the board may determine upon the consideration of the particular conditions surrounding each improvement.

Fourth. About half of the money is to be used as an aid to the repavement of existing thoroughfares and the

remainder to assist in the original paving of new thoroughfares being opened or widened under the city plan.

It will be evident under these rules, which are (officially) unwritten, that there remains a great deal of discretion as to what projects are to receive city aid and in what amount the aids shall be offered. In reaching a decision on these matters, the board must be governed by several factors. First, the extent to which the paving of the thoroughfare may benefit the city at large. Second, the extent to which the paving of the thoroughfare will permit the appreciation of values of abutting property. Third, the amount of the cost of the improvement in excess of the cost of paving a purely local street. In some instances it has been fairly evident that property on a newly-widened pavement was increasing in value so rapidly that a paving assessment of $25 per front foot would not represent a serious burden and in some cases of this kind, very little aid from bond funds will be extended. Of an intermediate class are those newly established thoroughfares which will apparently not change the use or value of the property materially and in these instances, it is probably reasonable to pay the cost in excess of what would be the cost of paving the street if of normal width and of light traffic character. At the other extreme, we find those thoroughfares connecting isolated civic centers where the demand for a reasonable traffic way is urgent and the property traversed is entirely undeveloped. In some of these instances, levying of even a slight assessment against the property would approach confiscation and here it is proposed to construct concrete roadways at the foundation grade of the future pavement, but to build them of such character that they will offer a satisfactory service for the traffic of the next few years. The cost of these roadways will be paid entirely out of the bond funds. The cost of the final widening and surfacing will ultimately be charged entirely against the adjacent property, but this charge will not come until such time as the property will have had an opportunity to develop.

Under this plan and on the assumption that the maintenance and gasoline tax funds be restricted entirely to repairs, it is felt that the city will have developed a sound policy in pavement finance which will recognize the changed conditions due to present traffic and which will make possible the paving of our major thoroughfares without undue hardship or injustice to the property in the vicinity. This plan very closely follows the federal aid policy of general highway construction and we are calling it tentatively the municipal aid system.

ARE SPECIAL ASSESSMENTS FAIR?

In a recent article in the REVIEW Mr. Pennybacker presented some interesting considerations in municipal pavement finance. His suggestion that the payment for paving by special assessment was unjust and that the cost of paving could be carried from general revenue and would be covered by the increase in property valuations, gave opportunity for interesting speculation. Mr. Gulick's detailed analysis of this proposal was quite complete and the St. Louis experience will bear out Mr. Gulick that only in rare instances could the increased valuations pay the interest charge on the paving cost. I think we all realize that the special paving assessment is a serious aggravation to the tax payers and there would be some advantage if paving cost could be included in the general taxes. In the long run, the property holders as a mass would probably save some money by such a system, but there is a ques-

tion whether the distribution of cost would not be quite as unjust as under the present plan. While we now require the abutting owner to pay for the pavement adjoining his property, recognizing that in some measure the whole city benefits by the construction, it is equally obvious that under a general taxation plan the property on the local residence streets would pay an undue amount to cover the cost of the more expensive pavements on the thoroughfares and in commercial districts and would in that way be forced to assist in producing the increased property values in such districts. This system also has been open, where used, to the general abuse of the "pork barrel" program. As between the two extremes, the St. Louis plan of municipal aid would seem to secure the results with the least possible inequity.

SPREADING ASSESSMENTS

The St. Louis system of spreading the assessed cost in part on the frontage and in part on adjoining areas also has much to recommend it. A strict frontage assessment, unless modified in some such manner undoubtedly works serious hardship on corner lots and would in many cases amount to confiscation. Under the St. Louis charter provisions, the corner lot is assessed its full frontage and its full depth for the paving of the street on which its main access lies and is assessed its full frontage, but only its lateral depth, when the adjacent cross street is paved. The proportions of cost now specified in the St. Louis charter of one-third prorated on the frontage and of two-thirds on the area still produce rather high rates under some conditions and it might be preferable to even further diminish the portion to be assessed against frontage, possibly to only 20 per cent of the whole, and spread the larger portion on an area basis on all property within a reasonable distance. If care is used in laying out the taxing districts so that no lot is included in more than two districts, a very uniform rate of assessment will result.

CENTRALIZED PURCHASING IN CITY MANAGER MUNICIPALITIES[1]

BY RUSSELL FORBES

Research Secretary, National Association of Purchasing Agents

Centralized purchasing has reached its highest development under city manager government, with gratifying results. :: :: ::

"An axiom of the advent of the city manager form of government to a borough seems to be the establishing of centralized purchasing. Such was the case in Carlisle. In fact, one of the first actions of the new administration was to centralize all purchasing."

This statement in the 1922 report of the borough of Carlisle, Pa., should occasion little surprise. City manager government stands pre-eminently for centralized control over expenditure of city funds, which experience has shown beyond peradventure can most effectually be brought about by reducing the number of spending agencies to a minimum. Since most cities spend

[1] The author gratefully acknowledges the assistance of the City Managers' Association in gathering the data on which this article is based.

about one-third of their annual budget for their supply requirements, it is not surprising to find centralized purchasing going hand in hand with the establishment of city manager government in many cities.

A survey has been made in co-operation with the City Managers' Association to determine the extent of centralized purchasing and the purchasing procedure followed in city manager municipalities of the United States and Canada. The survey has been restricted to cities over 10,000 population, since very little over and above the cost of maintaining a purchasing agency can be saved by centralized purchasing in a municipality of lesser size where the using agencies are few in number and their supply requirements are limited. Winnetka, Ill., although less than 10,000 population, employs a purchasing agent. But this is an exception rather than the rule. A prolonged and detailed correspondence has been carried on with the 100 odd cities over 10,000 population in the United States and Canada now operating under city managers. The correspondence has been supplemented in the case of several cities by the writer's personal visit and study of the purchasing procedure. The city managers have almost without exception been most courteous, and practically all have co-operated.

THE EXTENT OF CENTRALIZED PURCHASING

Centralized purchasing is followed today in eighty-four out of one hundred six manager cities of over 10,000 population in the United States and Canada. Unfortunately, the information supplied concerning the system followed in eleven of these cities was so meagre that it was disregarded when compiling the accompanying data. These seventy-three cities to which this discussion relates have been divided into four groups according to population, since it was assumed that some marked differences in administration and procedure would be noted in the various groups:

Group	*Population*	*No. cities in group*
I	10,000—30,000	35
II	30,000—60,000	26
III	60,000—100,000	6
IV	Over 100,000	6

The city manager plan has had the most wide-spread application in smaller municipalities. It was to be expected that Groups I and II, including cities of 10,000 to 30,000 and 30,000 to 60,000 population, respectively, would embrace the majority. Of the seventy-three cities considered, thirty-five or almost one-half fall in Group I, and Group II follows with twenty-six. On the other hand, only twelve cities over 60,000 population are referred to in the digest, but this number includes nearly all cities of this size today operating under a city manager. Group IV includes the purchasing system of Cleveland, our fifth city, which today is being watched with interest as the first American metropolis to adopt the city manager plan of government. Akron's excellent system of purchase is not included in this report because of that city's return to councilmanic form of government on January 1, this year.

The type of policy-determining body in a city manager city has very little bearing on the operation of the purchasing system. The city manager himself usually supervises this activity or delegates it to some individual or department directly responsible to him.

LEGAL AUTHORITY FOR CENTRALIZED PURCHASING

In thirty-one cities the authority for centralized purchasing is prescribed in the charter. In seventeen of these,

the details of the purchasing procedure and any rules and regulations laid down by the legislative body are contained in ordinances which supplement the charter. In fifteen other cities, the purchasing system is authorized only by ordinance. City manager governments have in the past been found more stable where authorized by charter. This applies also to a purchasing system. If it be subject to the changing winds of political favor, it is likely to be abolished through caprice of the legislative body without fair trial or upon slight pretext. The most highly satisfactory legal basis for a purchasing system, therefore, is one authorized by charter, but prescribed in detail by a supporting ordinance. Three cities in Group I and one in Group II follow a system which is handed down by state legislation. These are Florence, S. C.; Norwood, Mass.; Staunton, Va., and Dubuque, Iowa. Several cities have established centralized purchasing on executive order of the city manager without charter or ordinance authority. The purchasing agency was so provided in Stratford, Conn., Petersburg, Va., and Alexandria, Va., for example. This arrangement is working out very satisfactorily wherever tried. It has the advantage of greater flexibility and more ready response to changing circumstances; a change in procedure can be instituted by the city manager without the delay of securing sanction of the city electorate or legislative body. It would not be likely to occur in any other form of government, for no other administrator possesses comparable powers.

RELATION OF PURCHASING AGENCY TO GOVERNMENT STRUCTURE

In thirty-four cities a purchasing agent administers the procurement system, while in thirty-seven the city manager personally assumes full control. The data on this point in the various population groups show how city manager government adapts method to need. Very few cities between 10,000 and 30,000 population can afford to employ a full-time purchasing executive; that would be a luxury rather than a necessity. A saving can of course be demonstrated by centralized purchasing in a small city, even though the total amount of the supply requirements is small. But purchasing in a small city is not of sufficient import to justify maintenance of a formal and special organization; that function is very frequently entrusted to some official to be despatched in connection with other duties. Twenty-seven city managers in Group I (cities of 10,000 to 30,000 population) do the purchasing for the city in person, while only eight in this group have entrusted it to some other individual. City managers recognize in centralized purchasing a potent means for stopping the leaks in expenditure, and so whereever possible they reserve to themselves the active work in connection with it. No greater evidence could be offered of the city manager's appreciation of its worth.

In cities of 30,000 to 60,000 population, sixteen have purchasing agents, while in ten the city manager himself does the buying. In larger cities, purchasing is naturally divorced from the active control of the city manager, for he cannot attend in person to the administration of any other than his own office. It is not surprising, therefore, to find that a full-time purchasing agent is employed in all cities over 60,000 population and that no manager actively supervises the purchasing system.

In twenty-one cities the purchasing agency is a separate department of the city government, and in twenty it is a division or bureau in some other de-

partment. In Groups I and II the purchasing agency is sometimes a division in the city manager's office; in such cases, the assistant city manager, the executive secretary, or some other individual acts for the city manager as purchaser, but under his direct supervision. In other cases it is a part of the manager's work and is not classified as a *division*. When the purchasing agency is subordinated to a department, it is most commonly found in connection with the department of finance. Purchasing is in the main a fiscal process. Several steps in this process require the collaboration of the fiscal department if strict budget control is to prevail. Lost motion can be reduced to a minimum, therefore, if purchasing is made an integral part of the collaborating department. There is a likelihood, on the other hand, that the purchasing agency as a part of the finance department will acquire the accountant's point of view and overemphasize the dollars-and-cents aspect of buying to the neglect of the quality aspect.

No city manager municipality operates its purchasing system under control of a board or commission. In every city, the purchasing agency is either a separate department, a branch of some other department, or under direct supervision of the city manager. Milwaukee is one of the very few cities which have established and maintained a successful purchasing system under control of a board. A board, committee or commission composed of ex-officio officers facilitates "passing the buck" and decentralizes responsibility for purchasing policy and practice. A member of such a group, elected or appointed for some special work in the city government, cannot be expected to evince an equal interest in purchasing which is secondary. In the majority of such instances, the supervisory work of a purchasing board is discharged perfunctorily, while the more serious work is entrusted to a secretary or clerk who very often knows little and cares less about skilled buying. Some purchasing boards in the past have done much to verify Colonel Goethal's definition of a board as "a narrow, wooden thing." City manager government has done well to centralize responsibility in purchasing by divorcing it from board or commission control.

Seven cities in Group I claim that purchasing is centralized for all using agencies, including the department of education. In all the other sixty-six cities, the department of education buys independently. There is no valid reason why staple supply commodities used by the department of education, in common with other departments, should not be consolidated. The situation cannot be altered in those cases where the department of education is a separate entity, distinct from the city government in its administration. In seventeen cities, one or more departments, other than the department of education, are exempt from central purchase. But this small proportion shows that purchasing has been "centralized" in fact as well as name under city manager government.

Five cities in Groups I and II appoint their purchasing executive (city manager or purchasing agent) for a definite term. In all other cities, he has an indefinite tenure. This is in line with the general employment policy in city manager government, whereby tenure of office is dependent upon "producing the goods" and not upon a change of political administration.

AUTHORITY GRANTED TO PURCHASING EXECUTIVE

The purchasing executive is in general extended broader powers under

city management than under other forms of government. In forty-nine cities, he has authority to make and amend rules and regulations for carrying the purchasing system into effect.

In fifty-two cities the purchasing executive (city manager or purchasing agent) may establish standard specifications for staple supply items. This is undoubtedly the most important step in a sound purchasing plan. Unless the purchasing executive has authority to establish, with the aid and assistance of the using agencies, suitable standards for the commodities common to their needs, centralized purchasing misses the mark of economy and efficiency. To centralize the buying for the entire city without establishing standards, thereby permitting each department and branch to order its own particular choice of brand or quality, results only in the city placing *many small orders* through a central office. Any standardization program should be tempered with common sense. *All* supplies cannot be standardized. Many using agencies have peculiar needs requiring a specific brand, design, or quality, which must be furnished if that agency is to render the maximum of service. But department heads have no right to vie with each other in the amount of gold on their letter heads, to specialize in a certain make of typewriter, or to maintain a style of office furniture different from other city departments, when they are satisfying their caprice with public funds. This is recognized in city manager government in the majority of cities by extending to the purchasing executive authority to establish standards.

A testing laboratory is an invaluable adjunct to any standardization program. Quality should be tantamount with price in order award. Laboratory tests now assist in the determination of quality in almost any commodity line. Thirty-nine cities extend to their purchasing executives the authority to make tests in arriving at standards or in determining quality before placing orders, and to test deliveries to determine their conformity to specifications.

Centralized responsibility for disposal of surplus or obsolete material and supplies has been the means for considerable saving in many cities. In the old-time government each department was blissfully unaware of what other departments were using and of course had no regular means for determining the existence of any surplus. A central supply agency should be the clearing house for all surplus stock either by transfer between departments or by sale when such stock is no longer of use to the city. Fifty-three manager cities vest their purchasing executive with this authority.

Practically all cities extend to their purchasing executives the authority to inspect in person or by supervision all deliveries of all supplies, materials, or equipment. In thirteen cities, this authority is reserved to the using agencies where supplies are delivered directly to them or to the storekeeper in cases where the stores are operated independently of the purchasing agency.

THE PURCHASING PROCEDURE

Requisitions may be submitted by using agencies in forty-nine cities at any time as need arises. In eleven cities the using agencies make formal requisition on the purchasing agency monthly for supplies needed for the ensuing period. The purchasing executive in twenty cities has authority to request at any time an estimate from using agencies of their supply requirements for a certain definite period in advance. The consolidation of such estimates enables the purchasing executive to place a bulk order for supplies in

advance of need when market conditions are especially favorable and when by so doing he can demonstrate a saving to the city government.

The city manager personally approves all requisitions in forty-nine cities. In rwenty-seven they are approved by the purchasing agent and in fifteen by the chief fiscal officer of the city. Such approval is required from all three officials in some cities; in others, the approval of one only is sufficient authorization to proceed with purchase. In practically every city the head of the using agency signs the requisition before it reaches the manager or purchasing agent.

Orders are approved by the city manager before being issued in fifty cities. In thirty the purchasing agent assumes this responsibility, either solely or in conjunction with the city manager. As before pointed out, the city manager takes a less active part in the purchasing procedure in larger cities. The chief fiscal officer in twenty-two cities approves the order before issue. Strict accounting control over purchases can most easily be effected if the chief fiscal officer has full authority to approve either the order or the requisition. The certification of the department head that a sufficient appropriation balance remains to cover the amount of supplies ordered should be supplemented by a recheck from the chief fiscal officer. This official should "encumber" the appropriation account of the using agency with the estimated price of supplies ordered, so that the city will "live within its means" and the budget program will at all times be adhered to. Since the amount so encumbered cannot be used for any other purpose, both the vendor and the city are protected: the former is assured of prompt payment; the city is assured of saving the cash discounts by prompt payment and is protected against overdraft of appropriations. Such fiscal control over purchases is a highly important phase of municipal accounting which should not be overlooked by any municipality in its supply expenditures.

In thirty-eight cities the department head ordering the supplies is furnished with a copy of the order to check with the delivery for quantity and quality. In twenty-six cities the chief fiscal officer receives a copy of each order to check against the invoice and delivery receipt from using agency or storekeeper for quantity, quality and price extensions.

COMPETITION IN ORDERS

Every government is insistent, and rightly so, upon securing competition in all orders. Many governments, however, have erred in overemphasizing the importance of the sealed bid in achieving competition. To some of our purchasing agencies—state, municipal, and federal—the sealed bid has become almost a fetish. Some purchasers find a deep satisfaction in obeying the law on this point to the very letter and in doing it religiously. The sealed bid has its place, of course, in any well-regulated purchasing system. But it should not be required in ordering patented articles with a single source of supply, in small orders for supplies needed without delay, and in the large number of cases where its use discourages reputable dealers from bidding on government business.

In securing competition, as in other respects, purchasing in city manager government is tempered with common sense to a large and encouraging degree. Only two cities (Clarksburg, W. Va., and Portsmouth, Va.) require sealed bids on all orders. Portsmouth requires sealed bids on all orders over $25 in amount, but such are practically all-inclusive. This restriction must of

necessity tend to slow up purchasing and cause undue delay between the time of filing requisition for supplies and their delivery. Besides, the cost of advertising for bids sometimes largely offsets the saving involved in centralized purchase. The majority of cities require sealed bids for all orders over a certain definite amount. This limit is usually set at $500 or $1,000. The city of Pasadena is an exception in permitting its purchasing agent to place orders up to $2,500 without sealed bids but with consent of city manager, and up to $5,000 in amount with consent only of the board of directors. In thirty-six cities the purchasing executive may waive sealed bids, but such action is usually contingent upon consent of city manager or legislative body.

Three cities (Pasadena, Calif., El Dorado, Kans., and Miami, Fla.) still adhere to the rather archaic plan of requiring all bids to be accompanied by a deposit, certified check or bond. Nineteen require a guarantee of some sort with bids on orders over a certain limit. This usually applies to bids on construction projects where a large amount is involved and where the city must safeguard itself.

As a means of securing bids on orders, fifty-five cities still rely upon the costly and rather futile newspaper advertisement. Most cities have found that few if any bids are received as a result of advertisement; they are inserted solely to comply with the law. Fifty cities make a direct request to dealers to submit quotation on orders. This method has been found to be the most satisfactory for it enables the purchaser to reach a wider source of supply and to secure thereby a real competition.

The use of a bulletin board to advertise pending orders has been a conspicuous success in Cincinnati. The use of newspaper advertisements has been reduced to a minimum there and thousands of dollars have been saved. Six city manager cities—Phoenix, Ariz.; Glendale, Calif.; Lima, Ohio; Cleveland, Ohio; San Diego, Calif.; and Stratford, Conn.—make use of a bulletin board at the city hall where dealers or their representatives call to determine pending orders and to submit their bids. This plan of course is limited in its application to commodities purchased locally.

LONG-TERM CONTRACTS

When a city enters into a long-term contract, it should, if possible, protect itself against price decline. Some cities insert such a protective clause in their contracts. A long-term contract is of most value in a "rising market." In city manager municipalities, such contracts must generally be approved by the city manager or by the legislative body before issue. This is a sound provision. It curbs any possible enthusiasm of a purchaser which might lead a city into extravagance.

PURCHASES IN ADVANCE OF NEED

The city manager usually reserves the right to approve, too, any bulk purchases in advance of need. A wide-awake purchaser, in tune with market trends, can save many times his salary annually by buying at the right time. No bulk purchase should be made of any commodity just because it is a "bargain" unless the city really needs it. An instance might be cited where a state in the middle west bought a carload of paper napkins "for a song"—enough to last the state institutions until the millennium. The required consent of the city manager on advance purchases serves as a deterrent to rash or ill-advised expenditures. Such purchases can best be made where a revolving fund is available to meet the cost. This is provided in twelve cities.

A storeroom is usually required to stock the purchase in advance of need, unless perchance the vendor consents to deliver the supplies as requisitioned from his own stockroom. Such an arrangement is highly desirable, but can be rarely negotiated.

Forty cities maintain a storeroom. Twenty-five are in charge of a storekeeper, seventeen are under the supervision of the city manager and two are under joint supervision. Quite frequently the services of the storekeeper are extended to inspecting all deliveries, whether made direct to the using agency or to the storeroom. Uniform inspection presents many advantages which are too obvious to justify comment.

EMERGENCY PURCHASES

Some cities do not admit of "emergency purchases." Twenty-three limit them to orders under a certain amount, and thirty-three require the consent of the purchasing executive before they are entered into by the individual department. In many cases, there is no justifiable excuse for emergency orders placed by the department heads direct, for the central agency is in better position to secure prompt delivery, even when a breakdown of machinery occurs, than is the using agency itself. But in case the using agencies are widely scattered, exigencies may arise wherein the public service demands instant procurement. Orders should then be placed independently. Emergency orders should be approved and paid for through the regular channels; there is seldom occasion for maintenance of a supply fund at the individual using agency. Such purchases have been the means in several cities for breaking down centralized purchasing and permitting department heads to order what and when they please, by invoking the aid of "emergencies."

APPROVAL OF INVOICES

Prompt and careful approval of invoices has served in many cases to prevent duplicate payment, to detect "shortages," and to save cash discounts. Thirty-one cities require the approval of the city manager on the invoice, thirty-two authorize the purchasing agent to approve, twenty-nine require approval of chief fiscal officer, and sixteen the head of using department. In every case at least two of these officials approve each invoice. This secures a recheck and reduces the possibility of error to a minimum. Clarksburg, W. Va., strays from the beaten path in having all invoices approved by a committee of the city council. A similar committee in San Diego, Calif., approves all invoices for emergency purchases.

ADVANTAGES AND SAVINGS OF CENTRALIZED PURCHASING

Not all cities are "cashing in" on the entire gamut of advantages of centralized procurement. Legal restrictions, too much detail in procedure, and opposition of departments often conspire to defeat its very purpose. But in the cities under manager administration, taken as a group, the potential benefits involved are being more nearly realized than in any other form of government. Centralizing responsibility in the hands of the chief administrator simplifies the task of the purchasing executive in securing decisions in unusual situations. It makes the purchasing system less rigid, speeds up buying, and substitutes in many cases common sense for unnecessary "red tape." More important still, city manager government has made tremendous strides toward divorcement of "political" influence from order awards. The tenure of the purchaser depends upon results alone, the line of

his responsibility is clearly defined, and he can go about his work unhampered for the most part by outside pressure for doling out orders here and there to the "faithful."

Many benefits accruing from centralized buying are intangible. Even the dollars-and-cents economies are difficult to determine. Below are listed the estimated savings effected in some city manager municipalities:

City	*Per Cent Saved*
Portsmouth, Va.	10
Sault Ste. Marie, Mich.	10
Jackson, Mich.	10
Pontiac, Mich.	15
Clarksburg, W. Va.	10
New London, Conn.	5
Benton Harbor, Mich.	10
Durham, N. C.	5
Bluefield, W. Va.	5
Grand Rapids, Mich.	10–15
Lima, Ohio	29
Petersburg, Va.	10–12

The following statement from C. A. Bingham, city manager of Lima, Ohio, refers to a specific instance of saving through skilled buying:

> One item of 3,000 tons water pipe in carload lot was purchased by early option at $40.60 per ton. Price when pipe was used had risen to $58 per ton. Actual saving on that one item was $52,200, or enough to pay salaries of city manager, purchasing agent, and whole city commission for five years.

Parallel illustrations could doubtless be found in the experiences of other city managers.

Centralized purchasing was adopted in Dayton, Ohio, in 1913. A survey showed that the various using agencies of the city were paying from $12 to $22 per thousand for letterheads. Standardization upon one grade and quality of paper and buying it in bulk reduced the price of letterheads to $2.70 per thousand in the first year of centralized purchasing. Some other savings were as follows:

Article	Price, Noncentralized Purchasing	Price, Centralized Purchasing	Per Cent Saved
Carbon paper	$3.50 box	.65 box	82
Typewriter paper	1.25 box	.54 box	57
Typewriter ribbons	.75 each	.25 each	67
Rubber bands	4.00 pound	1.35 pound	67
Paper clips	1.00 thousand	.25 thousand	75
Letterheads	12.00 to 22.00 thousand	2.70 thousand	85

Cost of standard fire hose was reduced 50 per cent; coal, 40 per cent.

In the first year of centralized purchasing Dayton saved $33,000, price fluctuation being considered.

These figures could be duplicated from the experiences of other cities. A central purchasing agency goes on from year to year reducing supply cost, but is compelled in most instances to rely upon estimates to establish its record, for no accurate method of determining savings has as yet been found.

OPERATING COST FIGURES

The following table shows for last year the total amount of cash discounts on invoices, the operating cost of the purchasing agency for salaries and overhead expenses, the total amount of purchases made, and the per cent operating cost in certain cities, which are believed to be representative:

City	Cash Discounts Annually (Amount)	Operating Expenses	Amount of Purchase	Per Cent Operating Cost
Miami, Fla.	$6,000	$1,800	$200,000	.9
Escanaba, Mich.	2,000	3,000	200,000	1.5
Pontiac, Mich.	2,000	3,500	500,000	.7
Pasadena, Calif.	2,500	5,000	1,000,000	.5
Tampa, Fla.	1,864	3,000	400,000	.75
New London, Conn.	500	3,850	165,000	2.3
Bluefield, W. Va.	1,200	1,850	150,000	1.2
Columbus, Ga.	1,706	4,900	208,000	2.3
Kalamazoo, Mich.	3,235	6,900	950,000	.7
Muskegon, Mich.	1,512	2,400	432,000	.5
Greensboro, N. C.	1,000	1,600	60,000	2.6
San Diego, Calif.	2,000	6,400	1,410,000	.5
Lima, Ohio	2,200	3,000	240,000	1.2
Petersburg, Va.	1,736	2,500	172,000	1.4
Totals	$29,453	$49,700	$6,087,000	

Average operating cost, .81 of 1 per cent.

It will be noted that the amount of cash discounts on invoices for supplies equals from one-half to two-thirds of the total operating cost in some of the cities cited above. This saving is very frequently lost with decentralized purchasing, for the discount on each of the many small individual invoices does not inspire any special effort toward prompt payment. It is conceded that the operating cost figures are of very little value in establishing purchasing efficiency. A purchasing agency with a slip-shod procedure and administration may show a lower operating cost than the most efficient agency, on account of an advantage in market and transportation facilities and the size and general nature of the purchases. But it must be granted that some of the cities listed above rival our vaunted industrial purchasing agencies in their per cent operating cost record. This table is thought to be representative, for it includes cities of various sizes in various sections of the country and embraces those with both low and high operating cost figures. It shows that these fourteen cities purchased last year supplies aggregating $6,087,000 at a total overhead cost of $49,700 for a per cent cost of .81 of 1 per cent. The

total cash discounts amounted to $29,453 or 59 per cent of the total overhead cost of purchasing.

Centralized purchasing is practised today in over two hundred cities of the United States and Canada. Eighty-four of these under the city manager form of government represent 79 per cent of all city manager municipalities over 10,000 population. Many purchasing agencies under other types of administration have made enviable records for economy and efficiency. The plan has demonstrated that it will work under any political party and any form of government. But it has perhaps reached its highest development under city manager government with which it dovetails most admirably. City manager government, so responsive to changing conditions, lends a freedom from restriction which is necessary for the most successful operation of a purchasing agency. And the centralized method of purchasing, the "left hand of budget control," is invariably called to the assistance of a city manager where that manager finds it necessary to reduce supply costs in the interests of the public service.

STATE TAXATION OF PASSENGER AUTOMOBILES

BY HARRY A. BARTH
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Methods now employed do not work justice. It is a question whether a strictly equitable method is possible. :: :: :: :: ::

With well over fifteen million cars in the country, the problem of motor vehicle taxation assumes real importance. The owners of these cars represent the class of the community with the largest share of the national wealth. In addition, they represent a class demanding special services of numerous kinds from the state. That the legislatures have not been slow in taxing this special class is indicated by a tax burden in 1922 of over a third of a billion dollars. In 1924 this burden will run in the neighborhood of half a billion.[1]

This paper attempts to clarify one portion of the field of motor vehicle taxation,—the taxation of gasoline driven passenger automobiles by the state governments. The cars in the class dealt with make up by far the largest proportion of motor vehicles. In 1923, of the motor vehicles licensed, 13,484,939 were passenger automobiles.[2] Of course almost all of these were gasoline driven. State tax laws were responsible for two-thirds of the tax burden placed on motor vehicles.[3]

In making a study of this nature, two problems must be distinguished. What justification exists for taxing motor vehicles in a special manner? And, assuming that there is justification for a special tax, how shall the tax be apportioned among the various car owners?

[1] The 1922 figures were supplied by the *United States Bureau of Public Roads*. The 1924 total assumes an ordinary rate of increase.

[2] *Automotive Industries*, Jan. 10, 1924.

[3] *Bureau of Public Roads* estimate.

The first question is totally academic in view of the existing taxation of motor vehicles. Regardless of the merits of the case, motor vehicles will be specially taxed. The justification is the benefit theory. Special services are maintained for motorists,—roads are built and kept in good condition, motor police are employed, highway regulations are enforced,—and these services warrant special payment. Whether the special benefit warrants placing the entire burden on motor car owners is very doubtful. Clearly, though, it justifies placing some burden there.

What method should be used in determining the amount each motorist shall contribute for this special benefit? This question has a really practical application, as upon its answer depends the allocation of the tax burden among the motorists. Should it be proportionate to the injury to roads? Should it be graded according to mileage? Should it be a flat privilege tax? Or should the benefit basis be discarded as unworkable,—and in its place be substituted assessment according to ability to pay? This problem will be attacked through a consideration of each of the standards now employed.

The field is of course virgin. There are no guide posts and much of the subject matter is controversial.

METHODS NOW EMPLOYED[4]

There are several methods now employed by the states to tax gasoline driven passenger automobiles. These are briefly: (1) horsepower, (2) weight, (3) cubic inch displacement, (4) gasoline consumption, (5) as personal property, and (6) value.

Nineteen of the states use horsepower as the yardstick. These include Alabama, Arizona, Georgia, Illinois, Louisiana, Maryland, Massachusetts, Mississippi, Missouri, Montana, New Jersey, New Mexico, North Carolina, Ohio, Pennsylvania, Tennessee, Utah, Virginia and Wyoming. Thirteen employ weight. These include Delaware, Florida, Idaho, Nebraska, Nevada, New Hampshire, New York, Oregon, South Carolina, South Dakota, Vermont, Washington, and Wisconsin. Eight states employ both horsepower and weight. These include Arkansas, Michigan, Indiana, Kentucky, Maine, Rhode Island, Texas and West Virginia. One state, Connecticut, uses the cubic inch displacement as the basis. Oklahoma bases its tax on value. Colorado bases the tax on cost price. Iowa and Minnesota use a combination of value and weight. North Dakota uses an even more complex system in which selling price, net weight and horsepower contribute in the final result. California uses a flat rate. Kansas combines a flat rate with weight.

In addition to these taxes which are placed directly on the machines, in about three-fourths of the states, automobiles are subject to the general property tax. About three-fourths of the states also tax the gasoline consumed by cars.

An outstanding fact is the lack of uniformity in motor vehicle taxation. The general property tax varies widely with the states. The gasoline tax rate varies from one cent to four cents per gallon. Arkansas taxes at four cents. The average is two. The motor license fees are different for every state. Nor is there any reason for uniformity in rates. Highway pro-

[4] This section of the paper is based almost entirely on the digest of state motor laws of the Motor Vehicle Conference Committee, entitled *Special Taxation for Motor Vehicles, 1924*. The Conference has done a very valuable work in compiling the tax laws, and without the use of this material, a ready study of the subject is impossible.

grams vary in scope. Costs also vary. If uniformity is at all desirable it is in method of taxation rather than in rate.

In seven of the states which employ horsepower as the basis,—Louisiana, Maryland, Mississippi, New Mexico, Pennsylvania, Tennessee and Virginia,—the rate is expressed as so many cents per horsepower. The rate varies from thirty-two cents in Maryland to sixty-eight in Louisiana. Georgia taxes all cars with less than twenty-three horsepower at $11.25 and assesses others at sixty cents per horsepower. New Jersey taxes cars with a horsepower of twenty-nine or less at forty cents and over twenty-nine at fifty cents. In the other states a flat rate is provided for cars within definite horsepower limits. Arizona is typical of the horsepower schedule method. Here the rate is five dollars for cars with a horsepower of twenty-five or less, ten dollars for cars from twenty-five through forty horsepower, and fifteen dollars for cars over forty horsepower. The tax rate in the other states is usually higher but the same sort of schedule is followed. Usually the amount increases more rapidly than the horsepower, but this is not true for all the states. In Missouri, for example, the lower powered cars are taxed at a higher rate per horsepower than the high powered.

Where weight is used as the basis, the rate is either expressed in terms of a number of cents per hundred pounds, or certain cash amounts are specified to apply to cars within definite weight limits. Vermont is an example of the first class. Here the tax is eighty-five cents per hundred pounds. South Dakota is an example of the second. The schedule follows:

Less than 2000 pounds	$13
2000 to 3000 pounds	17
3000 to 4000 pounds	20
4000 pounds and over	35

These rates are fairly typical.

In the eight states where horsepower and weight are both employed as the measurement of taxation, the rate is usually expressed as a number of cents per horsepower and a number of cents per hundred pounds. In Michigan the rate is twenty-five cents per horsepower and thirty-five cents per hundred pounds. Connecticut is the only state using cubic inch displacement as the measure. The rate is eight cents per cubic inch. California has a flat rate of three dollars per car.

Colorado charges one and one-half per cent of the original cost price. The maximum fee is five dollars. Oklahoma charges ten dollars for the first five hundred dollars of value and seventy-five cents per hundred for value in excess of five hundred. Minnesota charges two and three-fourths per cent of value with a minimum fee for cars weighing above and below two thousand pounds. Iowa charges one per cent of value plus forty cents per hundred pounds of weight. North Dakota charges one-half of one per cent of value, twenty cents per hundred pounds, and ten cents for each horsepower. In Colorado, Minnesota and North Dakota a stipulated reduction is permitted for registrations following the first.

From the outline of the laws the great diversity in the practice of motor vehicle taxation is quite evident. The standards are many. The rates vary widely. Which of the many practices conform to equity?

HORSEPOWER AS THE STANDARD

The standard most widely employed is probably the least defensible. Over half the states employ horsepower as either the only standard or as a major standard. This is difficult to understand as there are a number of objections of primary importance to the use

of this unit of measure. These are: (1) that there is no method of determining horsepower which is both convenient and accurate, (2) that there is no direct relation between horsepower and damage to roads, and (3) that there is no direct relation between horsepower and value.

The method which gives the true horsepower of a car is the brake test. This test is not employed, probably because its use is difficult. To employ it would necessitate placing each motor on the blocks and operating it at various speeds and testing the horsepower at each speed. Of course the use of this test is by no means impossible. But horsepower is not easily determined by it and it is not used. Nor would it be accurate as between cars of the same make. Quality of materials and quality of workmanship cause variations between cars produced at the same factory. Furthermore the horsepower generated varies with the speed. Some cars like the Ford generate the maximum at a low speed. Others develop the maximum at a high speed. At what speed shall the horsepower be determined? To agree upon any one speed will probably prove inequitable. To adopt the speed at which the maximum horsepower is developed would be unfair, because many machines in use are seldom driven at that speed. To agree upon an arbitrary speed would be unfair, because the speed at which a car usually travels varies with the courage of the owner, which is a variable quantity. However, if horsepower is to be employed, the brake test seems to be the test which most nearly approximates accuracy and equity.

As a matter of fact a totally different method is employed,—one which is based on easily determined factors. The formula of the Society of Automotive Engineers is the one used. This formula squares the diameter of the bore in inches, multiplies by the number of cylinders and divides by 2.5, a constant which has been agreed to by engineers as a fair, conservative rating for a four cycle motor at one thousand feet per minute piston speed. The method is grossly inaccurate. In theory it is indefensible. Actual tests disprove it. A Ford with a rating of 22.5 under the S. A. E. test actually develops around thirty horsepower. An Essex with a rating of 16.5 S. A. E. will develop around forty. A Jewett with a rating of 25.35 S. A. E. will develop fifty. A Paige with a rating of 33.75 S. A. E. will develop seventy or more. These figures are typical of the discrepancy between actual horsepower and the rating for taxation purposes.

This discrepancy would not make any difference if the variation between the power developed under the tests were uniform. It is not. The formula of the Society of Automotive Engineers was developed in the early days of the motor industry when large bore cylinders, slow-moving pistons, and low compressions were the rule. Developments in the motor industry have tended to decrease the bore, and increase piston speed and compression. The result is that according to the S. A. E. standard a car designed years ago receives a high rating while a car designed recently according to the latest developments in the automotive arts,—with a far higher actual horsepower,—receives a low rating. Therefore there is real discrimination in taxation. Thus an Essex, more powerful than a Ford, has a much lower S. A. E. rating and therefore pays a lower tax in those states where horsepower is the standard for tax purposes.

One conclusion is certain. If the power of the motor is to be the criterion for tax purposes, a formula other than the one now used should be secured,—

a formula which will be an accurate method of measurement. Probably, however, any accurate test would prove impractical.

The second objection to the use of horsepower is that there is no necessary relationship between power and damage to roads. Just what factors enter into road damage have never been agreed upon, but certainly horsepower is not the only factor and it is possibly a minor one. A great deal depends on the blows the road receives. A cheap, rigid low-powered car which bounces over the road, rising and hitting it at periodic intervals, probably does as much harm as a heavy well-built car which rolls along smoothly. The type of springs is a factor of major importance. The type of tires also affects the result. A broad balloon tire will spread the shock over a comparatively large area and thus minimize it considerably. Much, of course, depends upon the nature of the road material. Weight will injure a soft road; con-

PRICE, HORSEPOWER, WEIGHT AND MILEAGE DATA

GASOLINE-DRIVEN PASSENGER AUTOMOBILES*

Car	*Price*	*Horsepower*	*Weight*	*Mileage*
Ford	$295	22.5	1,662	17
Chevrolet	495	21.76	1,785	20
Overland—91	495	19.6	1,905	20
Star	540	15.63	1,880	22
Gray	630	21.03	1,740	28
Oldsmobile	795	18.13	2,200	24
Essex	850	16.5	2,130	19
Maxwell	875	21.03	2,250	20
Durant	890	24.03	2,385	18
Rollin	895	16.9	2,300	25
Dodge	895	24.3	2,610	18
Gardner	995	21.76	2,495	20
Studebaker—E. M.	1,045	23.45	2,725	18
Jewett	1,065	25.35	2,806	16
Dort	1,095	23.44	2,595	20
Earl	1,095	19	2,570	22
Hupmobile	1,175	16.9	2,705	18
Chalmers	1,185	25.35	2,980	15
Overland—64	1,195	21	2,800	18
Moon	1,195	23.4	2,550	17
Nash	1,275	25.35	3,120	18
Reo	1,335	24.4	3,211	18
Apperson—6	1,395	23.44	2,885	20
Studebaker—E. L.	1,425	29.39	3,380	15
Chandler	1,485	29.4	3,055	15
Hudson	1,495	29.4	3,285	13
Jordan	1,775	26.3	3,100	14
Paige	1,795	33.75	3,675	13
Studebaker—E. K.	1,835	36.4	3,745	15
Franklin	1,950	25.35	2,530	20
Cole	2,175	33.8	3,675	12
Apperson—8	2,485	33.8	4,050	12
Packard	2,585	27.34	3,347	14
Marmon	2,895	33.75	3,600	12
Cadillac	3,085	31.25	4,280	12
Lincoln	3,800	36.45	4,290	13
Dorris	3,950	38.40	4,150	12
Pierce-Arrow	5,250	38.40	5,020	12
Locomobile	7,900	48.6	5,330	10
Rolls-Royce	10,900	48.6	4,800	13

* This table is based almost entirely upon figures supplied me by the individual manufacturers. In a few cases the figures were taken from the tables in the January, 1924, issue of *Motor*. The figures are for the five-passenger touring car. The prices do not include the taxes or freight.

cussion will injure a hard, brittle road material. There are too many variables to permit one to say that horsepower is a good measure of road damage.

The third reason for deprecating horsepower as a taxation standard lies in the absolute lack of relation between power and value. The following table illustrates this point clearly. The table is designed to show the price, horsepower, weight and mileage per gallon of gasoline of a number of representative cars. The cars listed probably include a majority of the machines now on the highways. (See page 645.)

A comparison of the data in the first two columns shows some interesting facts. A Ford under the S. A. E. test has a horsepower equal to most cars in the thousand dollar class. Yet its sales price is one-third as great. A Ford pays a tax as high or higher than cars selling for three times as much. Though a Dorris sells for thirteen times the price of a Ford, the horsepower is less than twice as great and the tax paid is less than twice as high. Based on price, the tax paid by Ford owners, where horsepower is the standard, is higher than for any other make. The inequity which exists when a nine-hundred-dollar Essex is taxed at three-fourths of the tax on a three-hundred-dollar Ford is obvious. A Locomobile pays about twice the tax on a Ford in spite of the fact that its retail price is twenty-seven times as high. Another obvious inequality lies between the Chalmers and the Hupmobile. The selling price of these cars is about the same, yet the tax paid by the owner of a Hupmobile is a third less than that paid by the owner of the Chalmers. A Paige has a horsepower rating of over thirty-three while a Jordan is rated at twenty-six. The selling price is about the same. A Dodge has a horse-power of twenty-four, an Essex of sixteen and five-tenths. The costs come within fifty dollars of being equal.

These illustrations show two points: (1) that as between cars of the same selling price, appreciable differences in horsepower as measured by the S. A. E. standard occur, and (2) that the horsepower of cars does not increase in the same degree as value. The higher the price of a car, the lower is the tax, if expressed as a percentage of the value. The Locomobile-Ford comparison is conclusive. The table shows additional examples in abundance, and no further proof seems necessary.

The first two objections mentioned, —the lack of a really practical horsepower test and the lack of relation between horsepower and road damage —need no further elaboration. The third objection, however, rests upon the assumption that the tax should be proportionate in some degree at least to the value of the car. This is the view taken by the writer. The justification, so far as one exists, is given farther along in the paper, where value is discussed as the basis for motor vehicle taxation.

If the horsepower fee is progressive, —that is, if the rate increases more rapidly than the base—the tax loses some of its objectionable features. This is the case in many of the states. The rate of progression is nowhere very marked, but the use of progression does indicate an attempt to adjust the tax to the value of the car. At best, however, this is an extremely roundabout way of getting the desired result. If the tax is to be proportional to value, the obvious solution is to place the tax upon value.

Where the tax is directly proportional to horsepower, there is really no excuse for its existence. In Pennsylvania and in six other states noted earlier, the tax is of this type. Here a tax is levied directly according to a

standard which is really not a standard for the base is crude and variable. It is levied with no regard to road damage. It is levied with no regard to value. It falls on the driver of a low-priced car far more heavily than upon the driver of a Rolls-Royce. It is both arbitrary and capricious.

WEIGHT AS THE STANDARD

There is a very direct increase in the weight of a car as the price increases. The fact that one car costs more than another does not always mean that it weighs more. The tendency, however, is for weight to increase with an increase in price. The first and third columns of the table, giving the weight and price, show this tendency plainly. But there are many exceptions. For example, an Overland-91 sells for $495 but weighs more than either a Star or a Gray which retail at a higher price. The Gray in turn weighs less than the Star though the price is greater. Other comparisons indicate the same condition,—the Oldsmobile and the Essex, the Durant and the Dodge, the Dort, the Earl and the Jewett, the Overland and the Moon, the Studebaker-E. L. and the Chandler, the Apperson-8 and the Packard, the Cadillac and the Dorris.

The chief objection,—assuming of course that the tax should bear a relation to value—lies not in the minor differences in weight of cars of the same value, but in the fact that though weight increases with value, the rate of increase is not nearly as rapid. A Dorris weighs about two and one-half times as much as a Ford. Its price is about thirteen times as great. A light Studebaker weighs about three-fifths as much as a Dorris. The Dorris retails at nearly four times the retail price of the Studebaker. These illustrations are extreme, but many more can be given which show the same result, though possibly not to as marked a degree. To base the tax on weight is not quite as inequitable as to base it on horsepower. Yet the lack of equity is apparent.

Another reason exists for questioning the value of a tax based on weight. Does road damage depend directly on weight? There is probably a more direct relation between weight and damage than horsepower and damage. Too many factors enter, however, to permit one to say that as a rule, a heavy car injures a road to a greater degree than a light one. An expensive car which has been carefully built so as to eliminate strains will pound a road much less acutely than a rigid, cheaply constructed, light car. As related above, spring construction plays a real part in the way a road will be treated by a car. The mere fact that an expensive car has much broader tires, which distribute the weight over a greater area, lessens the damage. Of course, one cannot be didactic in a matter of this nature. Possibly this arm chair philosophizing is incorrect. But this much is true,—there is no other method to reach conclusions. Empiric tests cannot be made. Besides engineers are fairly well agreed on the points outlined here. And even were these conclusions inaccurate, taxation by weight would still be unjustified in all probability. There is little reason for assuming that the damage to roads would be exactly proportionate to weight in any case.

For the reason that road damage is not necessarily dependent on weight and also for the reason that there is no relation between weight and value, it seems unfair to employ weight as a basis.

CUBIC INCH DISPLACEMENT AS THE STANDARD

Connecticut uses cubic inch displacement as the base. This of course

really is equivalent to horsepower as the S. A. E. horsepower rating is based on the cylinder capacity. The method is therefore as inequitable as taxation on the basis of horsepower.

GASOLINE CONSUMPTION

A tax which is rapidly gaining in popularity places a levy on the gasoline consumed. Over three-fourths of the states have seized upon a tax of this nature as the way out of taxation difficulties. No doubt the rest of them will avail themselves in the near future of this painless method of getting money.

Its popularity is no doubt based on the eternal verity that if one pays a tax in driblets, one really pays no tax at all. This form of taxation arises because of its distinct psychological appeal. What is a cent or two added to the cost of each gallon of gasoline? Nothing. Therefore the wide appeal. Of course large sums are to be raised by the tax. Many bond issues—typical is that now before the people of Kentucky—are to be paid out of the proceeds. So of course it will really be a heavy burden on the owners of vehicles. But its advocates have apparently succeeded in convincing the legislators that the tax is either burdenless or else gets the feathers without the squeal.

Aside from the psychological advantage—which is real—the tax does roughly measure the extent to which an automobilist uses the highways. If the right to use the roads is looked upon as a privilege, and the tax as a license, then the gasoline tax conforms roughly to equity. The more one uses the roads, the greater is the gasoline consumption. And the greater the gasoline consumption, the greater is the payment for the right to use the roads.

The rate charged for road privileges varies with every car, as even within makes, there are variations in the gasoline consumption per mile. Therefore the charge for the privilege of using the highways differs for every automobilist. Roughly it increases with the value, weight and horsepower of the car. But only roughly as the table printed above indicates. The fourth column of figures gives the average mileage for a group of representative cars. These figures are of course only averages. Much depends on the grade of fuel employed, upon road conditions and upon traffic. Variation on each side of the stipulated mileage—as high as three or even five miles—are experienced. However, the figures are sufficiently accurate for our purposes.

The figures show clearly the variations in the tax on automobiles. There is one rate for a Ford, another for an Overland, another for a Packard. As between Fords, to mention merely one make, there are variations in the rate charged. Some Fords will average twenty-two miles per gallon. Others fifteen. Clearly, then, the tax is quite arbitrary.

The tax also bears no direct relation to value. A Franklin often gives a higher mileage than a Ford, yet the Franklin sells for around two thousand. A Locomobile, selling for around eight thousand,—about twenty-seven times the price of a Ford,—pays a tax which is seldom twice as high. Further comparisons are so obvious that their statement seems unnecessary.

A tax on gasoline, then, has an element of equity in that it taxes drivers roughly according to the distance traveled. It is grossly inequitable as between cars traveling the same distance. Drivers of cars will all be taxed differently for the same privilege. Nor does the rate vary according to a uniform rule. With an increase in price, there is a tendency for the tax to

increase as the higher priced cars have a higher gasoline consumption. The increase is not proportionate to the increase in price. The tax is distinctly regressive.

Another point may be made. The tax must be expressed in terms of cents on a gallon. No differentiation is made for the quality of the gasoline consumed. Cheap grades pay the same tax as superior grades. The variations in the price of gasoline often approximate twenty per cent. The tax rate varies with the quality of gasoline and the variation is equal to the variation in the price of the motor fuel. From this point of view, also, the gasoline tax is inequitable.

Another objection to the gasoline tax is that a great quantity of the gasoline is consumed on city streets. Yet city streets are not paid for out of state funds. Therefore the tax which is peculiarly justified as a privilege charge is levied on cars which are given no privilege. The theory assumes that a person should be charged a license fee proportionate to his use of the roads. Logically under this theory one who never uses the state roads should pay no tax on his gasoline consumption. Of course, the same argument may be made to any tax which is based on the special benefit theory. It is especially appropriate here, however, in view of the insistence of the advocates of the gasoline tax upon the principle that one should contribute to the upkeep of highways in proportion to use.

To sum up the objections to the gasoline tax: (1) it is arbitrary in that there is no necessary relationship between mileage and gasoline consumption, (2) as a tax on value it places a far heavier burden on the driver of a low priced car than on the driver of a high priced car, (3) the rate charged varies with the grade of gas consumed as it is expressed as a unit measure tax—a tax on quantity rather than quality, and (4) for many drivers, there is no special benefit from the tax though the tax is justified under the benefit theory.

Of course, the chief objection lies in that it bears so heavily on the poorer classes.

TAXATION AS PERSONAL PROPERTY

In three-fourths of the states, motor vehicles are taxed under the general property tax laws.

If the assessment is equitable, the general property tax conforms to value and is therefore not open to the criticism which has been leveled against most of the taxes on passenger motor vehicles. The practical objections to the taxation of motor vehicles under the general property tax, as well as the theoretical, are the same as exist against the general property tax itself. These have been thoroughly discussed in many places and there is no reason for going into them here.

The only question requiring discussion here is whether, in view of the many special taxes on motor vehicles, the general property tax should also be levied. One point is clear. Since all cars pay the tax, there is no discrimination between owners. All owners, if there is discrimination, suffer equally. To determine whether there is discrimination requires an inquiry into the theory of motor vehicle taxation. Is there any justification for taxing motor vehicles twice? Certainly there is abundant justification for taxing the machines as property. Motor vehicles are personal property and they should be taxed as such. But should the special motor vehicle taxes be looked upon as taking the place of the property tax? The special taxes rest upon the grant of special benefits. They therefore have a separate justification

and may equitably exist along with the property tax. There seems no good reason for not applying the general property tax upon motor vehicles as property, and the special taxes upon motor vehicles on account of the special services provided their owners.

The property tax may be looked upon, not as a special motor vehicle tax, but as an additional tax—a tax not for a special but for a general benefit.

VALUE

A tax on the value of cars is based on the theory that taxes should be apportioned according to ability to pay. Probably the more expensive the car one is able to support, the greater is one's ability to aid in maintaining the government. The chances are that the owner of a Rolls-Royce is better able to pay taxes than the owner of a Ford. Of course, there is no necessary relationship between the value of cars and the ability of the owners to pay taxes, but in the majority of cases, a man chooses his car according to his income —and upon income depends ability to pay taxes. For a state to place motor vehicle taxes on the value is to appeal to the ability to pay theory for justification.

Yet the real justification for the special taxation of motor vehicles rests on the benefit theory. After all a state is justified in requiring special contributions from car owners—contributions above those required from other residents—by reason of the maintenance of special services for car owners. To ask these individuals to pay for these services in accordance with their ability to pay contains an injustice. Either roads should be constructed, maintained and policed out of the general state income or else they should be constructed from funds raised from car owners in accordance with the benefit they receive. Either there is a special benefit or there is no special benefit. If there is no special benefit, the special tax on car owners is unjust. If there is a special benefit, the tax should be levied according to the benefit received by each automobilist.

A special benefit does exist. A car owner is permitted to drive his car on highways, built and policed by the city or state, and therefore receives a definite amount of actual or psychic income from the state above that which another resident receives. Not only the automobilists, however, are benefited through the construction of highways. A direct benefit accrues to society as a whole. Highways unite the communities and thus make the social unit more compact. Intercourse becomes more free. People may mingle more intensely and with a more intense mingling probably comes a higher degree of thought and culture. Also, transportation rates are lowered as communication is made more easy, and, as a result, a greater volume of trade may be carried on. Further, commodity prices will fall with a cut in transportation costs. These results are merely several of a multitude of betterments—many of them intangible —which accrue from the creation of transportation systems.

Highway systems therefore serve a twofold function. They benefit directly the individual driver. Even more do they benefit society as a whole. The last function is the vastly more important. Properly to solve the taxation problem, therefore, requires both the apportionment of the cost of service among the taxpayers as a whole and among the automobilists as a specially benefited class.

So far as society is to contribute to the highways, ability to pay should determine the apportionment of the cost. This conforms to customary

standards of equity. So far as the motorists are to contribute to the highways, the benefit received by each motorist should determine his share of the cost. This is also customary. To apportion the special tax on motorists according to ability, to *value*, violates justice.

There are, however, certain factors which justify taxation according to value in spite of the injustice noted above. In the first place, there is no method of measuring the special benefit which each motorist receives. Horsepower, weight, cubic inch displacement and gasoline consumption have already been discussed as the basis of apportionment. It was indicated that these methods levy the tax neither according to damage to roads nor according to the use of the roads, and that they are therefore inaccurate measurements of the special benefits. There really is no method of determining damage to roads. Neither is there a method of determining the extent to which roads are used. The fairest is gasoline consumption and this method is unfortunately inequitable as between owners.

In the second place, the exact burden which should be placed on automobilists as a special class can never be ascertained. Probably they shall always bear more than the special benefit they receive warrants. Since this is true, the more closely a tax on motor vehicles approximates ability to pay, the better will be the tax law. For when society as a whole is to bear an expenditure, then ability to pay is the rule recognized to determine the share of each individual. It may be noted in this connection that car owners represent fairly well the taxpaying class of the community.

In the third place, a tax on value will prove least burdensome on the individual motorist. If there is an injustice in the method, the injustice will not interfere with anybody's use of the roads, for each driver under the method will contribute according to his ability. In the fourth place, a tax on ability will discourage the use of the highways least. It will collect fees from drivers in accordance with their pocketbooks. The other bases levy a proportionately heavier burden on the poorer classes. This tends to decrease highway use. The more widely are the roads used, the higher will be the social development.

HOW HEAVY SHALL THE SPECIAL TAXES BE?

An important problem deals with the distribution of the tax burden between the community and the specially benefited motorist class. How much shall each group bear? The Motor Vehicle Conference Committee advocates a solution to the problem which is convenient, at least. Under this solution, the cost of construction would be borne by all the taxpayers, the cost of maintenance by the automobilists. Whether the solution is equitable is impossible to determine. The bare statement is not proof. And there is no method of proof, mainly because we are dealing with factors which are intangible. One point tends to minimize the importance of the question: the persons who own automobiles are probably those who have the greatest amount of wealth or income and therefore pay the bulk of the taxes under any system.

CONCLUSION

This paper is quite destructive. Every method of levying taxes upon gasoline driven passenger automobiles has been shown to be defective. There is, as a matter of fact, no ideal system. One must choose between evils. *Taxation according to value seems the least of these.* Chiefly because it bears least heavily upon the poor.

RECENT BOOKS REVIEWED

AN OUTLINE OF MUNICIPAL GOVERNMENT. READINGS IN MUNICIPAL GOVERNMENT. By Chester C. Maxey. New York: Doubleday, Page and Co., 1924. Pp. xvii, 388 and xiii, 627.

The first of these two volumes is a general presentation of the usual problems of municipal government. The author says in his preface that, "The book is not designed to serve as an exhaustive treatise or a compendious work of reference . . . it is essentially an outline . . . a blue print. . . ." It thus supplies to the student, under proper and wise guidance, a set of general plans, or to the general public a digest, which unfortunately it does not find time to read.

Dr. Maxey has given as a thumb-nail sketch the problems dealing with the city governing itself. He has well divided his treatment into three topics: "Municipal Government," "Municipal Functions," "Municipal Finance." Each chapter is followed by an adequate working bibliography. The table of contents is well digested and presented although marginal notes are becoming more common and helpful. Several graphic charts giving the decentralized, strong mayor, commission, and controlled executive types of organization add much to the value of the volume.

The general thesis of the book is to offer suggestions which form a basis of extensive field observations under guidance. The author has not tried to compress into his three hundred eighty-eight pages the technical details of administration, nor review the numerous suggestions and remedies frequently proposed for the ills of the city. His treatment is a challenge to the student to investigate for himself.

Chapters III, The Structure of City Government, and V, The Civil Service, stand out prominently in his diagnosis. Chapter VII, The Administration of Justice, as the first one under the division of "Municipal Functions," is of doubtful value, but shows conclusively the influence of the recent investigations in Cleveland. Space forbids detail criticism, but I cannot let pass, and rather seriously doubt, his statement on page 33, "that under home rule Ohio has reached a position of undoubted leadership among the progressive states." The book is obviously, as well it might be, for consumption in the Middle West. The treatment of home rule, charters, public service, utilities, education, and finance would not lend itself to profitable lines of study on our western coast particularly.

In the companion volume of Readings the author has done a great service to students and teachers of municipal administration. Source material is difficult to obtain in sufficient quantity, hard to preserve for successive classes, and sketchy and unrelated at best. This volume contains a large portion of the chief documents (although not the latest obtainable at time of writing) relating to the major problems of municipal administration. The chapter contents parallel the first volume and add materially to the "Outline" treatment and discussion. The author is to be congratulated on the result of his selective process in the superabundance of material.

Taken together these two volumes form a base for the general reading and study of municipal administration and a distinct help in the further and deeper interest which the subject deserves.

EDWIN A. COTTRELL.

Stanford University.

A CITY PLAN FOR SPRINGFIELD, MASSACHUSETTS. By the Planning Board, Springfield. Dated 1923; published 1924.

Comprehensive city plans are not yet so numerous that their appearance can go unheralded. Like many other new developments in the art of living, city planning is not yet standardized, which is fortunate, for with standardization progress is apt to be checked, and there is certainly opportunity and need for progress in the art of city planning. The report, *A City Plan for Springfield, Mass., by the Planning Board*, which appeared in August, though dated 1923, modestly states that it "is not quite comprehensive, as it was deemed inadvisable to

report on the legal aspects of the Plan, or on how it should be financed, or its relation to the public utilities." However, these three phases seem more means of procedure than of the essence of the city planning problem itself, the solution of which, as has been well stated by the Hon. Edward M. Bassett, must be one that can be indicated on dynamic maps, that is, maps expressing present or intended official sanction.

This the effectively presented report for Springfield does in a thorough manner, its chapters on building zones, various means of circulation, water front, parks, playgrounds and public buildings being each accompanied by large plans.

The professional guidance secured by the Planning Board,—Technical Advisory Corporation, consulting engineers, and Frederick Law Olmsted, special adviser,—retains the triple point of view found so effective during the war by the United States Housing Corporation in the building of its towns, for each of which the committee on design normally included a civil engineer, an architect and a landscape architect.

In support of the widsom of the conclusions presented by the report, the methods of reaching them in each case are carefully described, with samples of the data maps, on which an extraordinary amount of more or less vitally relevant facts have been plotted. The necessity of doing something is brought home to the citizen by a striking series of paired photographs, showing great changes at identical points in Springfield with a lapse of only thirty-five years. Graphic charts and figures, though somewhat weakened by occasional apparent mistakes in computing, prove how city problems are multiplying in seriousness and how they may be minimized.

With the recommendation that Springfield's attitude towards the railroad problem should be "Wait" one must reluctantly agree. When her citizens feel the difficulties of the situation so that they hurt, some way out will be found, even if the municipal corporation has to do it itself.

For streets, parkways and parks the plan is more courageous. Here, as in other growing cities, radical improvements are vital to the city's welfare. Just as in the case of an expanding factory, a large investment must be made if the city plant of the future is to "deliver the goods."

Finally it is a relief to note that beauty again dares be mentioned. Fifteen years ago the "city beautiful" nearly killed the city-planning movement, because it was not correlated with the "city sanitary" and the "city economic." Gradually but surely the need of planning for health and convenience has made its way until to-day it is generally accepted. Art transforms these bare necessities into an inspiration, a perfect possession. For Springfield the Planning Board recommends carrying out a plan prepared by Olmsted Brothers and Helmle and Corbett for a civic center worthy of the beautiful beginning already made by the erection of her world-famous municipal group.

Zoning, the foremost recommendation of the plan, is now an accomplished fact. Certain street extensions, widenings and building lines have been actually undertaken. School sites and parks have been acquired in conformity to the plan. Springfield should continue to follow this admirable guide persistently.

ARTHUR C. COMEY.

MUNICIPAL STREET CLEANING IN PHILADELPHIA. Published by the Philadelphia Bureau of Municipal Research, 1924. Pp. 109.

This publication, prepared by the Bureau of Municipal Research of Philadelphia, constitutes an analysis of the problem of street cleaning and refuse collection and disposal of that city together with an evaluation of the results attained during the first year of city-wide municipal operation of those activities. The task of preparing this analysis was undertaken by the Bureau early in 1923 at the invitation of Mr. Frank H. Caven, at that time director of the department of public works, and throughout the study the Bureau had the fullest co-operation from the head of that department and the personnel of the street cleaning division. These working conditions are of particular interest as they contributed materially in securing both an impartial and authoritative review of the situation. The text includes seven chapters dealing with the following subjects: Background and Outlook; Organization Plant and Equipment; Street Operations; Disposal of Refuse; Personnel Problems; Financial Considerations and Co-operation of the Public. The first chapter comprises a brief historical review of conditions attending the administration of street cleaning and waste collection and disposal under the contract system and the events that lead up the enactment of charter revision which permitted

the city to undertake the operation of these important activities.

It also summarizes the more important observations, deductions and recommendations which were developed as a result of the study. In the subsequent chapters different technical phases of the street cleaning and waste disposal problem are discussed more in detail and a large amount of valuable information concerning the administration of these activities is presented.

The following excerpt from Chapter 1 well epitomizes the accomplishment in Philadelphia as recorded in this report:

The change from contract to municipal operation was accomplished in a noteworthy manner, reflecting credit upon the higher officials of the department of public works, who have devoted themselves untiringly and at considerable sacrifice to the task, and upon the numerically inadequate group of supervisory and staff officials within the division of street cleaning, who carried a heavy load with a zeal that is most commendable. Equipment had to be acquired and assembled, live stock had to be purchased and provision made for its housing and care, shops had to be provided, and extensive arrangements made for the disposal of refuse. In this process a considerable amount of used equipment that was not very useful was purchased from the contractors at comparatively low prices. Above all, it was necessary to enlist the services of an operating force, many of whom were employed by the contractors up to the very day when the change was made, and to start this operating force under a new management without interruption to the service which the citizen expected. All this was done with dispatch and without confusion.

In the publication of this report the Philadelphia Bureau has made a notable contribution to the literature on street cleaning and waste disposal. It has also conferred a direct service on the public of Philadelphia by its clear and impartial presentation of the manner in which the vexatious problem of administering those important activities has been developed and the very creditable results accomplished.

W. A. Bassett.

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Public Personnel Studies, Volume II, Nos. 2, 3 and 4. Published by the Bureau of Public Personnel Administration, Washington.

The three numbers of Volume 2 of Public Personnel Studies which appeared in the summer of 1924 indicate that the experimental stage of this new publication has been successfully passed.

All of the 46 pages of the March-April issue were devoted to the statements of fact relating to the important subject of the selection of employees to fill high-grade positions in the public service.

The actual methods used by the various federal, state, city and county civil service commissions are reviewed in sufficient detail to enable any student of the subject to obtain a clear picture of the present practice in filling by competitive test positions in the public service ranging in annual salary up to $10,000.

A list is given of several hundred examinations held in different jurisdictions during the period from July 1, 1919, to June 30, 1923, showing in nearly every case the date of the test, salary range, number of applications accepted and the number appointed (down to the date when the data were obtained).

Among the conclusions reached in this study are:

The success of the central employment agency in filling high-grade positions in the public service through open competitive tests may be attributed to the fact that it goes about its task with a qualified technical staff in a thoroughly systematic manner; more specifically:

(a) It knows the sources of personnel supply for all sorts of positions, is acquainted with the technical journals and other publicity mediums through which openings can be called to the attention of qualified persons, has effective means of securing the co-operation of leaders in the profession or occupation concerned and in general has facilities for carrying on a recruiting campaign which no individual appointing authority can hope to equal.

(b) It has a technically equipped staff familiar with the best methods that have been developed for discovering, formulating and testing desired qualifications in competitors and can secure the co-operation and assistance of persons high in the profession to an extent that most individual appointing authorities cannot hope to equal.

(c) It has so completely gained the confidence of the general public, and where it has been established for any length of time, of administrators and prospective competitors that it can generally carry on the sort of recruiting campaign and give the sort of tests which experience shows to be most desirable without taking into account improper political, racial, religious, geographical, sex of family considerations.

(d) It has developed a form of test (the so-called "unassembled examination") which embodies the best that has been developed in both the industrial and the public fields, which omits entirely the "written examination" on academic subjects to which many persons whom it is desirable to have in the public service properly object, and which reduces to a minimum the inconvenience to which competitors must submit in taking the test.

The two May-June numbers and of July, 1924, are more varied in their scope. In one or other of these numbers appear new features such as editorials, news notes, a book review and copies of actual answers furnished by the Bureau of Public Personnel Administration to inquiries made by civil service administrators.

The chief features are two complete tests submitted in such form that they are ready for use in the selection of in one case prison guards and in the other patrolmen. The suggested tests for patrolmen are reviewed at length elsewhere in this issue.

Each element in each test is discussed at length and the material is of such a practical nature that almost any commission could use it as a means of determining the presence or absence of desirable qualifications in appplicants for positions of the type in question. One test even includes methods for guaging the ability of a prospective policeman to observe and remember the license tag numbers of passing automobiles.

The July number also contains reprints of two addresses given on June 11, 1924 at the Detroit meeting of the National Assembly of Civil Service Commissions by members of the Advisory Board of the Bureau of Public Personnel Administration. That of Mr. Wm. Gorham Rice reviews the work of the Bureau during the preceding year while that of Mr. Charles P. Messick sets forth its plans for the ensuing year. These are followed by a copy of the resolution adopted at that meeting by the National Assembly defining its attitude towards the Bureau. This resolution expresses appreciation for the work done during the past 18 months and endorses the program of the Bureau for the coming year.

ALBERT SMITH FAUGHT.

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SUGGESTED TESTS FOR PATROLMAN. By Fred Telford and F. A. Moss, in *Public Personnel Studies* for July, 1924.

These tests represent the first attempt to lay down a comprehensive and logical method for selecting patrolmen. They are based upon a thorough study of the problem from many angles and good reasons are advanced for any departure from the usual practice. Among the larger civil service commissions of the country there are at present no less than fifteen plans of patrolmen examinations—varying in both subjects and weights—few of which have a rational basis. Any comprehensive plan, therefore, which is based upon a thorough understanding of police administration should be welcomed by civil service commissions.

The suggested tests cover a wider range than those employed by New York and Philadelphia; they also place a heavy weight on mental attainments as compared with those used in these two cities.[1]

The authors propose to give the written tests first (Tests 1 to 6); candidates qualifying in these to appear later for the oral interview and for the medical and physical tests. In actual practice it is found that the number failing in the medical and physical tests—which can be given at the rate of 250 a day—ranges from 75 to 80 per cent of the original applicants. With these facts in mind it appears that there is considerable advantage in continuing the present practice of holding the medical and physical examinations first.

The writer heartily agrees with the conclusion of the authors that too much weight has been given to medical and physical condition at the sacrifice of mental attainments. Repeatedly we have seen cases of consistent low mentality pulled over the passing line by a high physical rating. The question of height has many sides, but the desire to have men above the average has been expressed by many heads of police departments largely because of the idea that there is more respect and commanding influence derived.

There has been a distinct shift of opinion recently on the question of age. In recent years patrolmen between 21 and 25 have been inferior to those of the same age recruited prior to the war. A canvass made of this matter among sergeants on the Philadelphia force showed that 80 per cent would not have a man under 25. The invariable opinion of these officers was that the younger men were "indifferent" and "took little interest in police work." With the great number of applicants we have in these examinations, it would be possible to recruit our police force with men between the ages of 25 and 29, a range which would seem to meet all the objections thus far advanced.

[1] A table comparing the range of suggested tests with those in use in New York and Philadelphia was omitted for lack of space. Copies can be supplied by the editor.

The army alpha test as one element in the written work appears to be as suitable as facts warrant at the present time, but it is still to be verified by using patrolmen of known ability. The proposal to use it to eliminate all candidates attaining a score of less than 65 is putting a large burden upon it, especially in its experimental stage. Bearing in mind that the recruiting field for patrolmen is unlimited, there is no one particular qualification—even including the kind of intelligence brought out by the alpha test—which we can put our finger on and say that it must be satisfied to make a satisfactory patrolman. This has been demonstrated time and time again in civil service examinations. It therefore would seem better practice to let the alpha score enter into the final average.

The two tests of observational powers and memory (Nos. 2 and 3) are the most important for the determination of eligibility for the police force. They should serve their purpose very well and mark a step forward in the present method of procedure. In Philadelphia the method of testing these qualifications is to bring the candidates into a room in small groups. After remaining in the room a short time they are brought back to their desks and required to write in free answer form a full description of the room, its contents and the location of all objects. Thus there is a combination test of observation, memory and report writing. This requires about four hours to apply to a group of 600 candidates, and the rating of papers requires about one week of two examiners' time, one checking the other. The proposed tests, therefore, require less time to conduct than any heretofore used and the method of scoring is much simpler than can be given by any free answer form.

Tests 4 and 5 relate to police duties, and the method proposed is very applicable. The questions, however, seem to be rather difficult for the ordinary timber that comes up for police examinations. Candidates not accustomed to concentrate or who have not clear comprehensive powers—both of which qualities are set up in the stress of an examination—would undoubtedly attain very low marks.

The use of the personal interview is very desirable. Few private employers would think of putting a man on the payroll at $1,850 a year—the average salary of patrolmen in eighteen of the larger American cities—without seeing him and getting a line on his personal qualifications. The danger comes in rating this subject. Appraising the intangible quality called personality is no small task, and it should be done only by those experienced in character study.

The test of character (Test 9) while placed last in the scheme is in reality the most important of all. The method of procedure suggested has been followed in Philadelphia and has worked well. The advantage of making the investigations just prior to certification and appointment lies in securing the most recent information regarding a candidate. Where four-year, or even two-year employment lists are in vogue, considerable time elapses between examination and appointment, and the candidate's record during this time is often such as to warrant scrutiny.

These tests as a whole are well balanced and have been very carefully worked out. For a three-hour exercise they contain an unusual amount of evaluating material which should be of considerable help to all civil service commissions.

CHARLES S. SHAUGHNESSY.[1]

[1] Chief Examiner, Philadelphia Civil Service Commission.

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY WILLIAM A. BASSETT

Garage Tax Based on Car Capacity Proposed for Cincinnati.—The taxing of public garages on the basis of car capacity is included among other possible sources of additional revenue recommended by Luther Gulick, director of the New York Bureau of Municipal Research, for Cincinnati, Ohio, in a recent report on the administration of the government of that city, prepared under the direction of the City Survey Committee. There is much to commend the development of this source of revenue, particularly as it would augment funds available for street maintenance and construction by an indirect tax on the user of the street. As pointed out by Mr. Gulick:

The development of the automobile and the motor truck have revolutionized the street construction and maintenance problem in all of our cities. Revenue systems have not kept pace with the situation, so that motor vehicles today do not begin to carry their share of the new highway construction and maintenance costs which have been thrown on the community by the automobile.

The state law of Ohio makes it impossible for a city to lay any additional license tax on automobiles. It appears, however, entirely feasible to achieve the same result by establishing an annual permit to maintain a garage. The legal justification of the permit is that the garage is a special fire hazard and that it requires special inspection. This is more than a technical justification; it is a well-recognized fact. At the present time public garages are taxed under the occupational tax ten dollars for the first fifteen cars' capacity, and one dollar for each car capacity in addition. While this may be a fair occupation or business tax, it does not to any extent compensate for street use. It is therefore suggested that every private and public garage be required to take out an annual permit to be fixed at three dollars for each car space. While this is a small charge for each motorist, it will bring in $150,000. This is based on the 1923 registration of passenger cars and trucks, which totalled 56,445, with an allowance of $18,000 for inspection and administration and for loss on the present occupational tax on public garages, which might perhaps be reduced to a flat ten dollars. Such a license tax would undoubtedly be legal, it would be productive, it would be simple and inexpensive to administer, it would facilitate the control of an important fire hazard, and would result in laying a small tax on the chief destructive users of public streets who are at present not paying what they should.

Improved Garbage Collection Method at Indianapolis.—Partial dewatering of garbage intransit from the point of collection to the disposal plant is a feature of the method of collecting this class of waste employed in the Sanitary District of Indianapolis, Indiana. Trucks and trailers are used for this work and the dewatering is accomplished by equipping each of the trailers with a perforated plate so placed over the bottom as to drain the free water in the garbage into a water-tight compartment. In commenting on this method of collection in a recent issue of *Water Works*, Mr. E. W. McCullough, consulting engineer, Board of Sanitary Commissioners of Indianapolis, states that:

When a collector has filled his trailer about one-third full he draws up over a convenient sewer manhole and drains the free water from his trailer. The same process is repeated when the trailer is about two-thirds full. The trailer is again drained when it has received its entire load and is ready for connecting in train for haulage to the plant.

After the garbage has been hauled to the reduction plant the water that has shaken out during the long trip by truck and trailer is drained off.

Prior to installing these dewatering devices the department was flooded with complaints against the spillage of garbage water along the streets. This spillage caused both odor and fly nuisances and was a real menace to public health. Since installing the dewatering device no complaints have been received in spite of the fact that each 3½-yard water level capacity trailer now carries a load of 4 tons instead of the usual 2½ tons carried when the complaints were being received.

In my opinion it is the free water content of the garbage that causes the rapid deterioration of the solid portion. This is borne out by the fact that since the campaign of dewatering was inaugurated the odors emanating from the receiving station have been reduced to a minimum, and it is remarkable to note the exceedingly fresh condition of the garbage at the time it is ready for dumping into the cooking tanks. Better results have been obtained at the plant since cooking the fresher garbage and the products are superior.

Excess of water in garbage contributes largely to the expense of most methods of final disposal. The Indianapolis experience apparently points the way to effecting a material reduction in this

water content. It merits the careful attention of municipal officials.

✤

To Test Rubber Pavement on Bridge at Boston.—Two experimental sections of rubber block pavement have recently been laid on the draw span of a bridge in Boston which is subjected to extremely heavy traffic both of horse-drawn vehicles and motor vehicles of all kinds. As the traffic over these sections is confined in one case to motor vehicles and in the other to horse-drawn, the results of this pavement test should yield comparative information in respect of the behavior of this type of pavement under radically different traffic conditions. The paving comprises blocks six inches wide, twelve inches long and one inch thick. Under the paving is a layer of two-inch tongued and grooved plank to which the blocks are nailed, the planks being in turn spiked to the five-inch plank floor of the bridge. The paving blocks each have semi-circular lugs, one-fourth-inch thick, located two on each side and one on each end, which project out from the base of the blocks and fit into corresponding recesses in the adjacent blocks thus affording a sort of bond between the blocks. A rubberized cement is used to cement the blocks to the plank floor and also between blocks, and screws are driven through the semi-circular lugs as an additional precaution against movement. When the blocks are carefully laid the pavement thus obtained is practically water-tight. It is stated that a crew of four men unfamiliar with the work laid the paving at the rate of 100 square feet per hour. With practice it is estimated that the entire work of laying should be considerably less than ten cents per square foot. This figure, of course, does not include the cost of the block, which at present is somewhat problematical. It is estimated that under present conditions the cost of this type of rubber paving in place would be about $14 per square yard. According to the Boston *City Record*, the blocks used on this section of pavement were furnished to the city of Boston without cost through the courtesy of the manufacturers of the blocks, the Wright Rubber Products Company of Racine, Wisconsin.

The experimental pavement in Boston has certain novel features, but the idea of a rubber pavement is by no means a new one. Different trials of this kind of pavement have been made with some measure of success in several European cities, but there has been no extensive application of its use, probably due as much to excessive cost as any other reason. The tremendous increase in the use of rubber for the motor vehicle tire and the large amount of rubber scrapped each year in the form of worn-out tires has stimulated effort directed towards developing some way of utilizing this material. If it is found practical to use it for pavement purposes, the economic value of this would be very great. It would seem quite probable that rubber pavements properly protected against slipperiness might be very useful, for example, as bridge flooring. The Boston experiment should furnish just the sort of information needed to base a sound judgment in this matter. Rubber has certain demonstrable advantages for road purposes and also certain disadvantages. Any idea, however, that it may prove to be the long-sought-for road material that will be universally suitable is not consistent with the facts of the case.

✤

Traffic Regulation in Germany.—Conditions in European cities in respect of motor vehicle traffic are admittedly not comparable with those in our larger American cities, but apparently they have become sufficiently serious in Europe to demand forceful action on the part of European municipal authorities. Certain of the measures taken by German authorities to protect the public against the hazard of motor vehicle operation, as outlined in the *Manchester Guardian Weekly* should be of suggestive value to officials in American cities who are grappling with this important problem. The practice followed by the German Government in this matter is in part as follows:

In Germany a car has to be tested by the police and to receive a police permit as well as a number before it can be used at all. The brakes are tested with especial care. No one is allowed to drive without a license, which is only given to persons who have gone through a long course of instruction, both practical and theoretical, and have passed an elaborate test under the supervision of officially accredited experts. The test includes a medical examination, especially of the eyes.

The penalties for infringing the regulations consist in the first place of fines varying from 1 to 150 marks (1s. to £7. 10s.), with the alternative of imprisonment up to six months, and in the second place of suspension or cancellation of the license.

The speed limit in Berlin is 35 kilometres (nearly 22 miles) an hour for cars and 16 kilo-

metres (10 miles) an hour for lorries. All infringements are reported to a central office, where a kind of black-list is kept. Exceeding the limit is regarded as a very serious matter if it is repeated. The first offense involves only a slight fine, but repeated offenses may involve suspension of the license, or even cancellation, in which case the driver is precluded from driving a car for the rest of his life.

Every driver is compelled to drive in such a manner that he can stop dead whenever there is any obstruction. If he is near a herd of frightened cattle or a shying horse he has to slow down, or even to stop his engine altogether; otherwise he will be held responsible for anything that may ensue. If he is drunk while in charge of a car he is taken to a police station with his car, which is kept until the owner calls for it. If the offense is repeated his license is cancelled. The regulations for taxicabs are even stricter. A taxi driver, for example, is not allowed to smoke as long as he is in charge of a car.

There are entire districts from which all motor traffic is excluded. Thus the Grunewald, a region of villas, garden cities, lakes, and forest on the outskirts of Berlin, and a favorite haunt of children and Sunday crowds, never sees a lorry, car, or motorcycle. There is also a long and picturesque winding road that skirts the River Hazel which is barred to all motor traffic.

The fines for infringing the regulations appear lighter than they really are. Largely owing to the vigorous training necessary to obtain a license, the vast majority of German car owners keep professional chauffeurs. A fine of one mark is little more than a warning, but a fine of 150 marks means the loss of several weeks' wages to a professional chauffeur, and so may suspension of his license. Cancellation, a penalty that has become rather frequent for particularly flagrant cases of reckless driving, may, of course, mean ruin.

The new measures announced by the president of the Berlin Police will not only intensify the penalties already in force but will add new penalties which are chiefly aimed at those who drive their own cars and to whom a fine means little or nothing. It is proposed that the names of offenders shall be published on a special blacklist, and that in the case of grave or repeated infringements the car shall be confiscated either temporarily or, in the worst cases, permanently.

The German courts have begun to sentence motorists for reckless driving to imprisonment without the option of a fine. A man driving a car above the speed limit along the crowded Kurfurstendamm killed a cyclist. He was sentenced to a year's imprisonment (without the option of a fine), and the judge said that the sentence was a mild one.

*

Improvident Use of Street Space an Important Element in Producing Traffic Congestion.—The improvident use of street space which prevails in practically all American cities at the present time constitutes, probably, the most important factor in producing the serious traffic congestion confronting those communities. Obviously the extensive use of the motor vehicle and its indiscriminate parking within the limits of public highways have most largely contributed to the improvident use of space, but there are other causes, notably, unsuitable highway design, which are factors in the present situation. Much has been written on the principles that should govern the administration of public streets in respect of preventing and relieving traffic congestion and there is no necessity of reiterating these. The practical application of these principles to specific conditions are, however, of timely interest and value, and an exceptional contribution of this character appears in a paper presented by Mr. Harland Bartholomew, of the City Plan Commission of St. Louis, at a recent meeting of the American Electric Railway Association held in that city. Mr. Bartholomew's comments on the improvident use of street space are, in part, as follows:

> The streets of the business district of St. Louis with few exceptions are 60 feet wide and have a normal capacity of four lines of vehicles. On these streets 2,500 cars may be parked. On an average day from 13 to 15 per cent of the number of standing vehicles are commercial. Pleasure cars alone occupy approximately 20 per cent of the street space. At a normal hour during the day moving street cars, providing transportation service for the general public, occupy but 1.5 per cent of the street space. During the rush hour, when every available square foot of roadway ought to be devoted to movement, parked cars still absorb 20 per cent of the roadway. The vehicular flow thus restricted and confined to narrower channels slows down to such an extent that from 50 to 100 more street cars accumulate in the district than should be there according to schedule. Two thousand vacant, standing automobiles cause the street cars, carrying 75,000 or more persons home from work, to lose from 5 to 15 minutes of scheduled time. It is estimated conservatively that parking during rush hours reduces the efficiency of streets in the business district to 36 per cent. This is a matter which cannot much longer be disregarded. The conditions of the rush hour to-day will be normal conditions a few years hence.
>
> Something over 52,000 vehicles entered the business district of St. Louis daily (11-hour period) in 1922. During the maximum hour by actual count there were 9,843 vehicles entered the business district, whereas there was only a total area available for parking 2,500 cars, or somewhat less than 25 per cent of the maximum hour arrivals. There is a parking limit of one hour in the St. Louis business district. Even if this regulation were strictly enforced during the

eleven-hour period but half the cars entering could be parked for the hour. As the volume of traffic increases, which is apparently a continuous process, and parking time is reduced, the proportion of parked vehicles to the total will become correspondingly less. Manifestly it is impossible to provide parking space in the streets of the business district of any moderate-sized city for the accommodation of all vehicles. Street space, therefore, should be put to the service of the greatest number. In Chicago it was found that passenger automobiles formed 51.3 per cent of the traffic volume entering the loop on a normal week day, but carried only 18.9 per cent of the passengers. Street cars formed only 2 per cent of the traffic and carried 74 per cent of the passengers.

As cities increase in size and traffic increases in even greater proportion, merchants will find that an ever-decreasing percentage of their customers are depending upon the automobile for access to the shops and stores. And for even this decreasing number there will be less and less unlimited parking space in nearby street areas. The demands of circulation will have to be met and can only be met economically by withdrawing the general privileges previously granted. It should be obvious that this is a measure to which all cities eventually must turn.

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The National Municipal League.

H. W. DODDS, *Editor.*

Sworn to and subscribed before me this 23rd day of September, 1924.

F. GEORGE BARRY,

Term expires March 30, 1925. Notary Public, Westchester County, Certificate Filed in New York County.

NOTES AND EVENTS

A Correction.—On page 381 of the July REVIEW it is stated that William C. Beyer is the author of "Workingmen's Standard of Living in Philadelphia" and "Character and Functioning of Municipal Civil Service Commissions in the United States." Mr. Beyer calls attention to the fact that Miss Rebekah P. Davis and Miss Myra Thwing were joint authors with him of the former work and that Dr. William E. Mosher and Mr. A. H. Place were joint authors of the latter.

League Officers Honored by City Managers' Association.—The new constitution of the City Managers' Association makes provision for honorary members, and at the Montreal meeting the following persons were named as the first to receive the distinction of being elected to this class: Richard S. Childs of NewYork City, vice-president of the National Municipal League and the father of the city manager plan in the United States; Augustus R. Hatton, charter consultant of the League and a member of the present city council of Cleveland under the city manager plan, and a nationally known expert on charter drafting; Mayor P. W. McLagan, of Westmount, Quebec, Canada, father of the city manager plan in the Dominion; and Col. Henry M. Waite, formerly president of the National Municipal League and the first city manager of Dayton, Ohio. These were proposed for honorary membership, as provided by the constitution, by five active members of the Association, unanimously approved by the executive committee, and by a majority of the active members present at the convention.

Raymond V. Ingersoll Resigns from New York City Club.—It will be a source of regret to many readers of the REVIEW and to all who are professionally interested in municipal research and civic betterment to learn that Raymond V. Ingersoll has resigned as secretary of the City Club of New York.

Mr. Ingersoll has accepted a position as impartial chairman of the trial board organized in the cloak and suit industry in and around New York City to settle disputes arising between the unions and the various associations of manufacturers, contractors and jobbers. The commission consists of Mr. Ingersoll and two other members, selected one each by the two sides involved. The chairman was appointed by Governor Smith and affords a promising opportunity for bringing peace to a much disturbed industry.

The City Club of New York will be the loser. Mr. Ingersoll has been devoting all his time to the civic projects of the club and had developed this side of the work to a high plane.

Eleventh Annual Meeting of City Managers' Association.—The eleventh annual convention of the City Managers' Association was held in Montreal, September 23–25. It was attended by 65 active managers and by more than a hundred guests. As usual, the program was practical in nature, including such subjects as billboard regulation, merit system for employees, tourist camps, depreciation funds on city property and the city manager's part in elections and his relation to civic organizations. Features of the convention were addresses by W. R. Hopkins, manager of Cleveland; I. G. Gibbon, assistant secretary of the Ministry of Health and Local Government of Great Britain; and Sir John Sulman, chairman of the commission engaged in building the new capitol city of Australia.

The local arrangements and entertainment were excellent, and the secretary, John G. Stutz, is to be congratulated on the smoothness with which the program proceeded. C. W. Koiner, manager of Pasadena, was elected president for the coming year, and Grand Rapids was chosen as the place of the next convention.

County Campaign Tactics Disapproved.—The following condemnation of the campaign tactics of certain county officers running for election has been issued by a committee of the Citizens League of Cleveland:

This committee of the Citizens League believes that the practice of candidates for county offices taking advantage of their official positions and

their office staffs and office facilities to advance their own candidacies, or that of their political friends, deserves severe censure by the taxpayers and voters. We refer especially to the practice of posting campaign cards, photographs and other campaign literature in public buildings and offices under their charge, or of sending out such material in the county mails, or of utilizing the services of county deputies and assistants in distributing their postcards and placards during office hours. Such action not only is unfair to other candidates but it is actually campaigning for nomination at county expense.

This use of county services and of county facilities by public officials is an unfair advantage as well as a direct misuse of public funds. The county buildings and county offices are public property and should be respected as such by public officials.

This practice on the part of public officials has been a growing offense for some years, and will be given much closer attention by the Citizens League at future primaries and elections.

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Los Angeles Sustains Municipal Power Project.—Those who read the article by C. A. Dykstra in the September REVIEW, entitled "Los Angeles Municipal Power Making Money at Low Rates," will be interested to know that the proposed $16,000,000 power bonds carried by 8 to 1 in the recent election. There was no organized opposition anywhere. The newspapers which before had fought the bonds, came over, because the railroad commission, as suggested in the article in the September number, had recommended their passage. Private utility corporations also kept out of the fight. It is possible to say, therefore, that, contrary to the report in the New York *Times* that Los Angeles has repudiated its power project, she has overwhelmingly endorsed its extension and betterment.

✻

Canada's Public Debt.—According to a report submitted by Mackenzie Williams to the Bond Dealers' Association of Canada, the Dominion, provincial and municipal debt of Canada amounts to $4,236,538,435, a per capita debt load of $482 or 19 per cent of the national wealth. The Dominion debt is $2,512,126,559, provincial $674,411,876, and municipal $1,050,000,000. Since 1919 there has been a slight reduction in the debt of the Dominion, but the debt of the provinces has more than doubled and the municipal debt has increased 50 per cent. Annual interest changes amount to $231,403,357. To retire this aggregate debt within twenty years would require $375,000,000 a year in interest and debt charges, or seventeen per cent of the national income.

✻

Illinois to Vote on New Amending Clause to State Constitution.—The Illinois constitution is notoriously difficult to amend. At present amendments can be proposed to but one article at a time, and to the same article only once in four years. But Illinois seems to be in a radical mood and her citizens will vote this month on an amendment to permit amendments to be proposed to not more than two articles at one time, retaining, however, the old four-year prohibition.

Those who drafted the proposed amendment seem to have repented themselves at once of their rashness and in compensation for their moment of recklessness added the proviso that no amendment shall be voted on while the United States is at war, or within one year following the declaration of peace.

If a majority of all those voting at the election record their votes in the affirmative, the amendment will be adopted. A failure to vote on this proposition, if you cast a ballot at the election, is a vote against it.

Due, perhaps, to some unfortunate caprice of nature, the present writer finds himself unable to share the joys of those who wish to see the amendment adopted or the fears of those who oppose it.

✻

New York City Assessments Jump 1 1-2 Billions.—Real estate values in New York City are still going up. They have been going up steadily year by year without much relation to the change in the purchasing power of the dollar. The tentative assessment roll just issued by the Department of Taxes and Assessments for 1925 presents real estate assessments of $12,300,000,000. This does not include "special franchises" which are assessed by the State Tax Department and reported later in the year. This is an increase of one and a half billion dollars over the 1924 roll. Due to the New York tax system, personal property assessments are of minor importance. The tentative personal roll carries $844,000,000. This is an increase of some three million dollars over the tentative roll of last year.

The public hearing of complaints begins about October 15 and extends until November 15, for real estate, and until November 30 for

personal property. Though there will be many complaints against the increased real estate assessments the total should not be reduced by more than six hundred million dollars. The bulk of this will be due to temporary exemptions granted to certain types of new housing construction in accordance with the housing emergency tax exemption ordinance. The total assessed value of dwellings exempted from taxation since 1921 is already $482,000,000. With the addition of the exempt new construction of the current year, the total will be $833,000,000. At the present tax rate of 2.74 per cent, the housing subsidy granted by the city in 1925 may be placed at $22,000,000. There should not be any very considerable writing off of the remaining real estate assessments because the ratio of assessed values to market values appears to be between 85 per cent and 90 per cent on the basis of a comparison of sale values with assessed values in Manhattan for the current year.

Under the New York tax law, debts are deductible from personal property assessments. Because of this, the personal property roll melts away like the first snow. Not less than 70 per cent will be written off the books before the taxes are levied. If as much as $233,000,000 "sticks," to use the technical term, the tax officials may congratulate themselves.

On the basis of these considerations, the final assessment roll including special franchises, may be placed at $12,280,000,000. This is 8 per cent higher than the present roll. If the budget which is now being prepared can be held down, there is a possibility that the tax rate for 1925 will be lower than at present. This would be welcomed by the taxpayers as well as by the administration, which faces an election in November 1925.

LUTHER GULICK.

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American Civic Association Notes

Capital Park Commission Established.—The bill which the Washington Committee of 100 on the Federal City, organized by the American Civic Association under the chairmanship of Frederic A. Delano, has been sponsoring for the creation of a Capital Park Commission passed congress and was signed by the president. The commission consists of Brigadier-General Harry Taylor, chairman; Colonel C. O. Sherrill, secretary; Major James Franklin Bell, Honorable Stephen T. Mather, Colonel William B. Greeley, Senator L. Heisler Ball and Representative Frederick N. Zilhman, all by virtue of their respective offices.

If the commission can secure annually from congress the full amount of the appropriations authorized under the bill, one cent for each inhabitant of the continental United States, or on the basis of the 1920 census $1,050,000, an adequate park system can be built up though some areas which seemed absolutely essential have been destroyed and can never be restored.

J. Horace McFarland, L.H.D.—The American Civic Association was honored through its president when, at the 141st commencement of Dickinson College, he was, on June 3, 1924, invested with the degree of L.H.D., which translates into Doctor of Humane Letters, or Doctor of Humanities. In the address of Dr. J. H. Morgan, President of Dickinson College, mention was made of Mr. McFarland's achievements as business man and in other social and public relationships.

George B. Dealey, LL.D.—Austin College, at Sherman, Texas, on June 4, 1924, conferred on George B. Dealey, editor of the Dallas *News* and a valued vice-president of the American Civic Association, the honorary degree of Doctor of Laws. Mr. Dealey has made the Dallas *News* an organ for civic improvement and his contribution to the progress of Texas is well recognized.

✻

City Managers Adopt Code of Ethics.—The following code of ethics, prepared by a committee composed of City Managers O. E. Carr, Louis Brownlow, C. W. Koiner and Frank D. Danielson, was adopted by the City Managers' Association at the recent Montreal convention:

1. The position of city manager is an important position and an honorable position and should not be accepted unless the individual believes that he can serve the community to its advantage.
2. No man should accept a position of city manager unless he believes in the council manager plan of government.
3. In personal conduct a city manager should be exemplary and he should display the same obedience to law that he should inculcate in others.
4. Personal aggrandizement and personal profit secured by confidential information or by misuse of public time is dishonest.
5. Loyalty to his employment recognizes that it is the council, the elected representatives of the people, who primarily determine the municipal policies, and are entitled to the credit for their fulfillment.

6. Although he is a hired employee of the council, he is hired for a purpose—to exercise his own judgment as an executive in accomplishing the policies formulated by the council, and to attain success in his employment he must decline to submit to dictation in matters for which the responsibility is solely his.

7. Power justifies responsibility and responsibility demands power, and a city manager who becomes impotent to inspire support should resign.

8. The city manager is the administrator for all the people and in performing his duty he should serve without discrimination.

9. To serve the public well, a city manager should strive to keep the community informed of the plans and purposes of the administration, remembering that healthy publicity and criticism are an aid to the success of any democracy.

10. A city manager should deal frankly with the council as a unit and not secretly with its individual members, and similarly should foster a spirit of coöperation between all employees of the city's organization.

11. No matter how small the governmental unit under his management, a city manager should recognize his relation to the larger political subdivisions and encourage improved administrative methods for all.

12. No city manager should take an active part in politics.

13. A city manager will be known by his works, many of which may outlast him, and regardless of personal popularity or unpopularity, he should not curry favor or temporize but should in a far-sighted way aim to benefit the community of today and of posterity.

✻

Prosperity Returning to Street Railway Industry.—Operating statistics of the electric railway industry reflect the improvement which is restoring the street car companies in many cities of the country to the earnings status that prevailed prior to the war, according to F. R. Coates, of Henry L. Doherty & Co., in an interview recently published in the New York *Times*.

Operating revenues of the electric railways as cited from the records of the American Electric Railway Association, have increased 47 per cent. since 1917 and are now close to a billion dollars a year, Mr. Coates said. The operating ratio, or the ratio of expenses to earnings, which rose from 65 per cent. in 1917 to 80 per cent. in 1920, has fallen to 74.1 per cent. Last year sixteen billion passengers were carried—the greatest number in the history of the street car.

Another indication of the improvement is found in an examination of the receiverships over the last six years. The maximum was in 1919, when forty-eight companies, with 3,781 miles of track, went into receivership. By the end of 1923 the number of companies going into receivership had fallen to twelve with a total mileage of 333. In 1924 several companies, including one of the larger companies, emerged from receivership, making a further substantial decline.

Today, among the larger companies, only four —the Denver Tramways, the New York Railways, the United Railways of St. Louis, and the Kansas City Railway—are in receivership, and two of these are just waiting to complete the details of their reorganization.

Other signs of more prosperous times and a re-establishment of confidence of investors in electric railway securities are evidenced, according to Mr. Coates, by the issuance of more than $48,000,000 of traction securities in the first six months of this year.

✻

A New Traffic Signal.—A new tower type traffic signal in which are inculcated many new and novel features has been developed by engineers of the General Electric Company at Schenectady, New York.

This device flashes red or green lights signifying "stop" or "go" at the operator's wish, or it can be set to automatically flash these signals at stated intervals without being operated by an officer, thus particularly adapting itself to intersections which are congested for only a short time during the day or night, or for cities where the traffic is not heavy enough to warrant a traffic officer.

It can be set to flash an instantaneous light of the beacon signal type for districts where traffic is light. If desired it can also be regulated to show four orange colored lights which are non-flashing but visible from four directions.

A very meritorious feature of the signal is the light under the dome at the top. This casts a white light down upon the officer, thus insuring his safety and at the same time illuminating the standard in order that motorists can avoid running it down.

When set automatically, it will flash 80,000 times every twenty-four hours or 32,000,000 times per year. Because of this vast number of times that the electric circuit must be made and broken, contacts are made by the use of mercury enclosed in a vacuum tube, thus eliminating the possibility of their becoming stuck or burned out.

One of these devices has been installed at the intersection of State Street and Broadway at Schenectady, which is the home of the General Electric Company.

JOHN J. BIRCH.

Schenectady, N. Y.

Wisconsin Better Cities Contest.—The common denominators of what makes a good place in which to live have been worked out by the various departments of the University of Wisconsin, the bureaus of the University Extension Division and the state departments of Wisconsin. These compiled in ten units are the basis of the scoring schedule by which cities are to be judged in the State-wide Better Cities Contest, which is being conducted by the Wisconsin Conference of Social Work.

Twenty cities are contesting for the honor of being the one best place in the state in which to live and work. The contest opened on June 3, 1924, at the annual meeting of the Conference. It will close June 30, 1925.

Cities contesting are divided into two groups, *e.g.*, cities from 10,000 to 60,000 population and cities from 3,000 to 10,000 population. The obvious reason for this division is to secure competition and comparison among cities of relatively the same population size.

One prize for each group is offered. A prize of one thousand dollars is to be given to the winner in the first mentioned group and a five hundred dollar prize to the winner in the small group.

The basis of award will be superiority in total points gained in accordance with the scoring schedules. The ten activities forming the units of measurement are education, health and physical development, social welfare, library, industry, town and rural relations, city beautiful, recreation, public administration and religion.

The award will be given to that city possessing the largest group of opportunities in each of these fields.

Five judges, from fields sufficiently large so as to cover the whole ten activities, will make a study of the scoring schedules sent in by each community and make a personal visit to each contesting city as a basis for their decision.

Cities will make out their own scoring schedules and submit them with any other evidence which, in their estimation, will aid the judges in making their decision.

Copies of the various scoring schedules or general plan of the contest may be had by writing to the Wisconsin Conference of Social Work, Aubrey W. Williams, Executive Secretary, University Extension Building, University of Wisconsin, Madison, Wisconsin.

AUBURY W. WILLIAMS.

Cost of City Government in New Jersey.—A compilation of costs of government in the cities of New Jersey has just been completed by Sedley H. Phinney, secretary of the New Jersey State League of Municipalities. For the entire group of cities the expenditures in 1917 were $32,090,427.50. Six years later in 1923 the expenditures were $56,201,206.10.

The average cost of city government for every man, woman and child in this group was $18.10 in 1917 while in 1923 this per capita cost had risen to $28.20.

In issuing the figures Secretary Phinney stated that per capita costs had been figured for all cities instead of using tax rates, because they are thought to be a more reliable criterion by which to compare, since tax rates are affected by the percentage of true to assessed valuations and these are very irregular thoughout the state. Per capita costs give a good basis for comparison except in the case of shore resort cities in which the presence of large floating populations not counted in the census figures increase per capita costs. For example, in 1924 the average per capita cost for the shore cities is $77.50 and in the non-resort cities the average is $30.50. The average for the whole group in 1924 is $30.10.

In the non-resort group of cities Plainfield has the highest per capita cost of government in 1924, being $48.60, computed on the 1924 budget and the 1920 population. The following are also high: Bayonne, $42.80; Hoboken, $38.60; Jersey City, $37.80; Newark, $34.70; East Orange, $34.30.

Among cities showing the lowest costs are Bordentown, $7.90, and Beverly, $10.50. Among the first fifteen largest cities Orange is the lowest per capita with a figure of $21.00. Others are Trenton, $21.40; Camden, $22.24; and Paterson, $24.00.

Additional tables show the distribution of these costs between various functions of government, namely police, fire, cleaning and maintenance of streets, collection and disposal of refuse, street lighting, public health and parks and recreation. For the entire municipal group, including cities, towns and boroughs, police expenditures are 15.5 per cent of the total in 1924. Fire department costs are 12.2 per cent of the total.

Figures recently presented by the United States census bureau indicate that per capita costs of government in cities all over the country have about doubled in the last ten years and

New Jersey cities are quite comparable with the others.

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261 Cities Now Zoned.—Approximately 24,000,000 people, living in 261 municipalities throughout the United States, are enjoying the benefits of zoning, according to statistics compiled by the division of building and housing of the department of commerce. The greatest zoning center is in the territory in New York state and northern New Jersey, having New York City for its hub; other centers are in California, Ohio, Massachusetts, Illinois and Wisconsin.

Secretary Hoover, in a recent statement, characterized properly drawn zoning ordinances as "reasonable, neighborly agreements as to the use of land." They divide a city into districts in which are limited the use to which land and structures may be put; the height and number of stories of the buildings; and the areas of the lots to be occupied by the buildings. Their professed object is to regulate the use of private real estate for the purpose of promoting health, safety, morals and the general welfare of the entire community.

That the idea has made a strong appeal to the American people is shown by the rapid spread of zoning. On January 1, 1923, there were only 129 zoned cities, towns and villages. The first comprehensive effort to zone was the passage of a zoning ordinance by New York City in 1916; although Los Angeles, Calif., passed a "Use" ordinance in 1909, and Boston, Mass., regulated the height of buildings in 1904.

Cities, towns and boroughs throughout the country generally are showing more than a passing interest in zoning. Where authority is granted, various municipalities are actively engaged in the solution of their zoning problems with enthusiastic zoning commissions and auxiliary committees at work. Even where state legislation does not authorize zoning, various public-spirited and progressive organizations are studying the local situation so that when zoning can be effected legally, much of the preliminary work will be finished.

New Jersey leads in the number of zoned municipalities, having 66; New York has 41; California has 33; Illinois, 25; Massachusetts, 24; Ohio, 16; Wisconsin, 13; Indiana, 5; Michigan and Missouri, 4 each; Iowa and Rhode Island, 3 each; Florida, Michigan, Oklahoma, Pennsylvania, Virginia and Washington, 2 each; and Arkansas, Colorado, Connecticut, Georgia, Maryland, Nebraska, North Carolina, North Dakota, South Carolina, Tennessee, Utah and the District of Columbia, one each.

Thirteen of the states that have enacted zoning legislation since January 1, 1923, have used all or a substantial portion of "A Standard State Zoning Enabling Act," which was prepared by the advisory committee on zoning of the department of commerce to serve as a model for those desiring to introduce zoning legislation in their states. The great care used in the preparation of the Standard Act had much to do with its favorable reception.

During 1925 the legislatures of 34 states will meet, most of them early in January, and it is expected that zoning legislation will occupy a prominent place on the legislative calendars. In nine of these states which have not as yet passed zoning legislation, various groups plan to have zoning enabling acts considered early in the sessions. In some of the other 25 states, which now have zoning laws, plans are being made to extend the application of their acts since they grant the privilege of zoning only to single cities or specific groups.

The complete list of zone municipalities can be secured from the Division of Building and Housing, Department of Commerce, Washington, D. C.